

IN THE SUPREME COURT OF OHIO

BERTHA LOUDEN, EXECUTRIX,
et al.

Plaintiff-Appellants,

vs.

A.W. CHESTERTON CO., *et al.*

Defendant-Appellees

ON APPEAL FROM THE CUYAHOGA
COUNTY COURT OF APPEALS,
EIGHTH JUDICIAL DISTRICT

SUPREME COURT
CASE NO.

07-1821

COURT OF APPEALS
CASE NO. 90185

NOTICE OF APPEAL OF PLAINTIFF-APPELLANTS,
BERTHA LOUDEN, EXECUTRIX AND MARY BORDER, EXECUTRIX

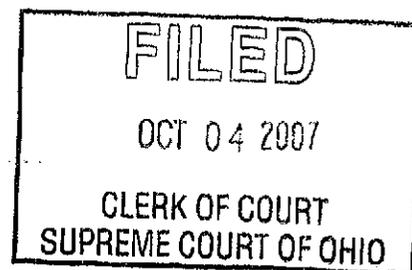
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NOTICE

Plaintiff-Appellants, Bertha Louden, Individually and as Executrix of the Estate of Roger Louden, Deceased, and Mary J. Border, Individually and as Executrix of the Estate of Wayne Border, Deceased, *et al.*, hereby serve notice of their appeal to the Supreme Court of Ohio from the Judgment of the Cuyahoga County Court of Appeals, Eighth Judicial District, entered in Case Nos. 90185 on August 20, 2007, a copy of which is appended hereto as *Exhibit A*. This action involves issues of great general and public importance.

Respectfully submitted,

John I. Kittel (per authority)

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice has been sent by regular U.S. Mail on this 3rd day of October, 2007 upon:

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AUG 20 2007

Court of Appeals of Ohio, Eighth District

County of Cuyahoga
Gerald E. Fuerst, Clerk of Courts

BERTHA LOUDEN, EXECUTOR, ET AL.

Appellant

COA NO.
90185

LOWER COURT NO.
CP CV-590044
CP CV-592502

COMMON PLEAS COURT

-VS-

A.W. CHESTERTON COMPANY, ET AL.

Appellee

MOTION NO. 399333

Date 08/01/07

Journal Entry

SUA SPONTE, APPEAL IS DISMISSED PER ENTRY NO. 399175.

FILED AND JOURNALIZED
PER APP. R. 22(E)

AUG 20 2007

GERALD E. FUERST
CLERK OF THE COURT OF APPEALS
BY [Signature] DEP.

ANNOUNCEMENT OF DECISION
PER APP. R. 22(B), 22(D) AND 26(A)
RECEIVED

AUG - 1 2007

GERALD E. FUERST
CLERK OF THE COURT OF APPEALS
BY [Signature] DEP.

Judge JAMES J. SWEENEY, Concur

[Signature]
Administrative Judge
FRANK D. CELEBREZZE, JR.

N.B. This entry is an announcement of the court's decision. See App.R. 22(B), 22(D) and 26(A); Loc.App.R. 22. This decision will be journalized and will become the judgment and order of the court pursuant to App.R. 22(E) unless a motion for reconsideration with supporting brief, per App.R. 26(A), is filed within ten (10) days of the announcement of the court's decision. The time period for review by the Supreme Court of Ohio shall begin to run upon the journalization of this court's announcement of decision by the clerk per App.R. 22(E). See, also S.Ct.Prac.R. II, Section 2(A)(1).

NOTICE MAILED TO COUNSEL
FOR ALL PARTIES-COSTS TAXED

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EXHIBIT
A