

IN THE SUPREME COURT OF OHIO

State of Ohio, ex. rel.
RICHARD PIERRON : **Case No. 07-1460**

Relator-Appellant :

vs. : On Appeal from the Franklin
County Court of Appeals,
Tenth Appellate District

INDUSTRIAL COMMISSION OF OHIO :
ET AL. : Court of Appeals Case No.
06AP-391

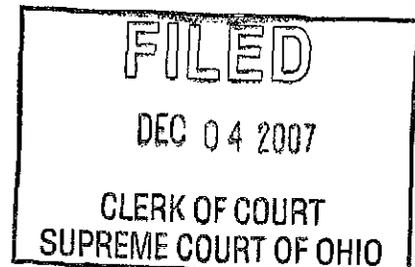
Respondent-Appellees :
Original Action in Mandamus

PLAINTIFF-APPELLANT'S REQUEST FOR EXTENSION OF TIME IN WHICH
TO FILE MERIT BRIEF

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PLAINTIFF-APPELLANT'S REQUEST FOR EXTENSION OF TIME
IN WHICH TO FILE MERIT BRIEF

Now comes the Plaintiff-Appellant, Richard Pierron, by and through counsel, who pursuant to Supreme Court Practice Rule XIV, Section 3(B)(2)(b), of the Rules of Practice of the Supreme Court, hereby requests additional time in which to file his Merit Brief on this case (until Friday, December 14, 2007). This is the first time that Plaintiff-Appellant has made such a request. Plaintiff-Appellant states that good cause exists for the making of this request due to additional time being needed in order to complete legal research needed for submission of the case to the Court. Additionally, Counsel was discussing settlement this case with Plaintiff-Appellant himself, and was hopeful that an amicable resolution of the case was possible. However, due to issues involving Medicare set-aside accounts, settlement is not possible at this time. Plaintiff was reconsidering Respondent-Appellee's most-recent offer and decided to go forward with this case. Plaintiff-Appellant requests an additional ten (10) days from the deadline (which was originally December 4, 2007) in which to file his Brief.

Plaintiff-Appellant further asserts that opposing counsel, Attorney Sarah Rose was contacted about this request in the hopes of obtaining a stipulation for an Agreed Extension under Rule XIV Section 3(2)(a), but has not yet responded to telephone inquiries as of this writing. As such, this request is made pursuant to Rule XIV Section 3(B)(2)(b).

Based on the foregoing, Plaintiff-Appellant respectfully requests that he be given until Friday, December 14, 2007 to file his Merit Brief in this case.

Respectfully submitted,



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CERTIFICATE OF SERVICE

Pursuant to the Ohio Rules of Civil Procedure, and the Ohio Rules of Appellate Procedure the undersigned hereby certifies that a true and accurate copy of the foregoing Request for Extension of Time in Which to File Merit Brief has been served, regular U.S. Mail, first-class postage pre-paid to Sara Rose, Counsel for Respondent-Appellee at P.O. Box 188, Pickerington, Ohio 43147, and Marc Dann, Attorney General of Ohio, Counsel for Respondent-Appellee, Industrial Commission at 150 E. Gay Street, 22nd Floor, Columbus, Ohio 43215 this 4th day of December, 2007.



Joseph E. Gibson