

IN THE SUPREME COURT OF OHIO

CITY OF CINCINNATI : CASE NO. 07-0114
Appellant :
v. :
CLEVELAND CONSTRUCTION, INC. :
Appellee :

CITY OF CINCINNATI'S MOTION FOR LEAVE TO
FILE ADDITIONAL AUTHORITY

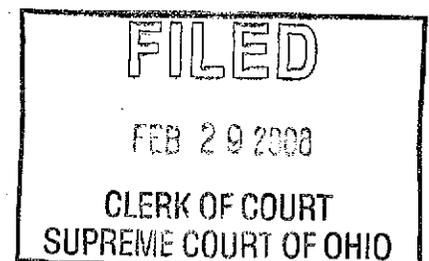
PATRICIA M. KING (0061464)
Interim City Solicitor

RICHARD GANULIN (0025642C)
MARY FRANCES CLARK (0077497)
Assistant City Solicitors
CITY OF CINCINNATI
801 Plum Street, Room 214
Cincinnati, Ohio 45202
Telephone: (513) 352-3329
Facsimile: (513) 352-1515
richard.ganulin@cincinnati-oh.gov
mary.clark@cincinnati-oh.gov

*Attorneys for Appellant
City of Cincinnati*

W. KELLY LUNDRIGAN (0059211)
GARY E. POWELL (0037546)
Counsel of Record
Statman Harris & Eyrich LLC
Carew Tower
441 Vine Street
Suite 3700
Cincinnati, Ohio 45202
(513) 621-2666
Fax (513) 621-4896
klundrigan@statmanharris.com

*Attorneys for Appellee
Cleveland Construction, Inc.*



Pursuant to Supreme Court Rule IX, Section 9, the City of Cincinnati seeks the Court's order granting leave to file an additional authority, a federal district court decision issued in November 2007. The City was not previously aware of this federal court decision. The City is not identifying the citation to the federal court decision at this time but, if the Court grants leave to file the citation, the City will provide it at that time.

Respectfully submitted,

PATRICIA M. KING (0061464)
Interim City Solicitor

Richard Ganulin

RICHARD GANULIN (0025642C)
MARY FRANCES CLARK (0077497)
Assistant City Solicitors
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Room 214, City Hall
801 Plum Street
Cincinnati, OH 45202
Telephone: (513) 352-3329
Facsimile: (513) 352-1515
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mary.clark@cincinnati-oh.gov

Attorneys for Appellant
City of Cincinnati

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing City of Cincinnati's Motion for Leave to File Additional Authority to W. Kelly Lundrigan, Esq., Counsel of Record, Statman Harris & Elrich LLC, Carew Tower, 441 Vine Street, Suite 3700, Cincinnati, Ohio 45202 this 28th day of February, 2008.



RICHARD GANULIN
Assistant City Solicitor

PMK/RG/MFC/(jr)
(DOTE) Cleveland Constr Leave to Add 0208-RG