

IN THE SUPREME COURT OF OHIO

Fred L. Lager, Administrator of the  
Estate of Sara E. Lager, deceased,

Supreme Court Case Nos.  
2007-1762 and 2007-1760

Appellee,

On Appeal from the  
Lucas County Court of Appeals,  
Sixth Appellate District

vs.

Nationwide Mutual Fire  
Insurance Company

Court of Appeals  
Case No. L-07-1022

Appellant.

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**PLAINTIFF-APPELLEE, FRED L. LAGER ADMINSTRATOR OF THE ESTATE OF  
SARA E. LAGER, DECEASED'S REQUEST FOR EXTENSION OF TIME TO FILE  
AND SERVE APPELLEE'S MERIT BRIEF**

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INSURANCE COMPANY

**FILED**  
MAR 14 2008  
CLERK OF COURT  
SUPREME COURT OF OHIO

Now comes Plaintiff-Appellee, by and through counsel, and moves this Court, pursuant to Supreme Court Practice Rule XIV, Section 3(B)(2)(b) for an order extending the time within which to serve and file the Appellee's Brief until April 4, 2008. The grounds for this Motion are set forth more specifically in the Brief which is attached hereto and made a part hereof by reference.

Respectfully submitted,



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W. Randall Rock, #0023231

ATTORNEY FOR APPELLEE, FRED L.  
LAGER, ADMINISTRATOR OF THE  
ESTATE OF SARA E. LAGER,  
DECEASED

**BRIEF**

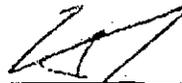
By Entry of this Court filed February 8, 2008, Appellant was granted an extension to file Appellant's Merit Brief until February 22, 2008. Appellant filed it's Merit Brief on February 21, 2008. By Rule, the Merit Brief of Appellee is due on March 24, 2008. The undersigned counsel certifies, by his signature below, that Appellee received service of the aforesaid Merit Brief on or about Saturday, February 23, 2008.

Due to a recent illness the undersigned counsel has been out of the office and unable to work for approximately ten (10) days in the last two weeks. The undersigned is a sole practitioner and due to the press of business and the recent illness, needs additional time to prepare, serve, and file the Merit Brief of Appellee.

For the foregoing reasons, counsel for Appellee requests an extension of ten (10) days, until April 4, 2008 to file and serve the Brief of Plaintiff-Appellee.

This is the first request for an extension filed by the Plaintiff-Appellee and is filed not for the purpose of delay, but rather to allow for a reasonable period of additional time for the reasons stated above.

**WHEREFORE**, Plaintiff-Appellee, Fred L. Lager, Administrator of the Estate of Sara E. Lager, deceased, prays that the foregoing request for extension be granted.



W. Randall Rock, #0023231

ATTORNEY FOR APPELLEE, FRED L.  
LAGER, ADMINISTRATOR OF THE  
ESTATE OF SARA E. LAGER,  
DECEASED

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of Plaintiff-Appellee's Request for Extension of Time was sent by facsimile and ordinary U.S. mail to Edward T. Mohler, one of the Attorneys for Appellant, Nationwide Mutual Fire Insurance Company, 420 Madison Avenue, Suite 650, Toledo, OH 43604, Facsimile No. (419) 242-7783, and Joyce V. Kimbler, one of the Attorneys for Appellant, Nationwide Mutual Fire Insurance Company, 50 South Main Street, Suite 502, Akron, OH 44308, Facsimile No. (330) 253-8875, on this 14<sup>th</sup> day of March, 2008.

  
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COUNSEL FOR APPELLEE, FRED E.  
LAGER, ADMINSTRATOR OF THE  
ESTATE OF SARA E. LAGER,  
DECEASED

**IN THE SUPREME COURT OF OHIO**

Fred L. Lager, Administrator of the  
Estate of Sara E. Lager, deceased

Case No. 2007-1760

Appellee,

vs.

Ryan Miller-Gonzalez et al. and  
Nationwide Mutual Fire Insurance Co.

**ENTRY**

Appellant.

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On written request of Appellee, it is ordered that the time for filing the Merit Brief is hereby extended to April 4, 2008.

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**THOMAS J. MOYER**  
Chief Justice