

IN THE SUPREME COURT OF OHIO

JANE DOE, INDIVIDUALLY AND AS : Supreme Court Case No. 2007-1304
NEXT FRIEND OF HOLLY ROE, A :
MINOR, et al. :
: :
Appellants, :
: :
v. : On Appeal from the Judgment
: Entered in the Stark County Court
: of Appeals, Fifth Appellate District
: :
MARLINGTON SCHOOL DISTRICT, : Court of Appeals
et al. : Case No. 00102
: :
Appellees. :

APPELLANTS' MOTION TO FILE SUPPLEMENT UNDER SEAL

John F. Hill [0039675]
Counsel of Record
Joy Malek Oldfield [0073065]
Hill Hardman Oldfield, LLC
National City Center
One Cascade Plaza, Suite 2000
Akron, Ohio 44308
Telephone: (330) 253-4000
Facsimile: (330) 253-3840
E-Mail: jhill@hillhardmanoldfield.com
joldfield@hillhardmanoldfield.com

David Kane Smith [0016208]
Michael E. Stinn [0011495]
Joseph W. Boatwright, IV [0078304]
Britton, Smith, Peters & Kalail, Co., L.P.A.
Summit One, Suite 540
4700 Rockside Road
Cleveland, Ohio 44131-2152
Telephone: 216/642-0323
Facsimile: 216/642-0747
E-Mail: dsmith@ohioedlaw.com
mstinn@ohioedlaw.com
jboatwright@ohioedlaw.com

Attorneys for Plaintiffs-Appellants Jane Doe,
Individually and as Next Friend of Holly
Roe, A Minor, et al.

and

FILED
MAR 17 2008
CLERK OF COURT
SUPREME COURT OF OHIO


HILL HARDMAN
OLDFIELD, LLC
ATTORNEYS AT LAW
One Cascade Plaza
Suite 2000
Akron, Ohio 44308

Mary Jo Shannon Slick [0022553]
Stark County Education Service Center
2100 38th Street, N.W.
Canton, Ohio 44709-2300
Telephone: 330/492-8136
Facsimile: 330/492-6381

Attorneys for Defendants-Appellees
Marlington Local School District Board
of Education

HILL HARDMAN
OLDFIELD, LLC
ATTORNEYS AT LAW

One Cascade Plaza
Suite 2000
Akron, Ohio 44308

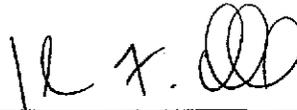
APPELLANTS' MOTION TO FILE SUPPLEMENT UNDER SEAL

This case involves allegations of sexual abuse to a minor child, identified as Holly Roe, by another juvenile, identified as Bob Boe. Upon motions by interested parties, the trial court made orders designed to protect the identity and privacy of the minors involved. (January 18, 2006, Stark County Court of Common Pleas Protective Orders, attached hereto). Consequently, the identity of Appellant, the perpetrator of her abuse, and other tangentially involved minor children remained protected throughout this litigation and appeal.

In the appeal before this Court, parties are permitted to file a Supplement to the briefs. S.Ct.Prac.R. VII. In keeping with the protective order, Appellants hereby move this Court for permission to file the accompanying Supplement under seal.

Respectfully submitted,

By



JOHN F. HILL [0039675]
JOY MALEK OLDFIELD [0073065]

HILL HARDMAN OLDFIELD

National City Center

One Cascade Plaza, Suite 2000

Akron, Ohio 44308

Telephone: (330) 253-4000

Facsimile: (330) 253-3840

E-Mail: jhill@hillhardmanoldfield.com

joldfield@hillhardmanoldfield.com

Attorneys for Appellants Jane Doe, Individually
and as Next Friend of Holly Roe, A Minor, et al.



HILL HARDMAN
OLDFIELD, LLC
ATTORNEYS AT LAW

One Cascade Plaza
Suite 2000
Akron, Ohio 44308

CERTIFICATE OF SERVICE

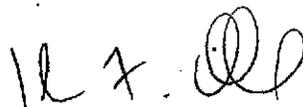
A copy of the foregoing has been served by regular U.S. Mail to the following counsel of record this 17 day of March, 2008:

David Kane Smith, Esq.
Michael E. Stinn, Esq.
Joseph W. Boatwright, IV, Esq.
Britton, Smith, Peters & Kalail, Co., L.P.A.
Summit One, Suite 540
4700 Rockside Road
Cleveland, Ohio 44131-2152

and

Mary Jo Shannon Slick, Esq.
Stark County Education Service Center
2100 38th Street, N.W.
Canton, Ohio 44709-2300

Attorneys for Defendant-Appellees
Marlington Local School District Board
of Education



JOHN F. HILL [0039675]
JOY MALEK OLDFIELD [0073065]
ATTORNEYS FOR APPELLANTS

JAN 18 2006

PHIL G. GIAVASIS
STARK COUNTY, OHIO
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS
STARK COUNTY, OHIO

JANE DOE, INDIVIDUALLY AND
AS NEXT FRIEND OF HOLLY ROE,
A MINOR, ET AL.

Plaintiffs,

Vs.

MARLINGTON LOCAL SCHOOL
DISTRICT, ET AL.

Defendants.

* CASE NO. 2005 CV 3180
*
* JUDGE: SINCLAIR
*
* ORDER
*

Upon motion of the interested party, Joe and Kim Boe, on behalf of their son Bob Boe, based on their motion for protective order and for good cause shown, the Court hereby ORDERS the following:

1. All parties are to refer to the juvenile represented by The Baca Law Office and Attorney Rodney A. Baca by the fictitious name, Bob Boe in all documents, filings, pleadings and other matters in this case.

2. All discovery regarding Bob Boe that is exchanged between the parties is also to be sent to Attorney Rodney A. Baca at The Baca Law Office, 610 Market Ave. N, Canton, OH 44702, 330-452-3250.

3. The parties are to preserve and protect the information from further disclosure under their Stipulated Protective Order. No information is to be discussed with any group or individual not related to this case to include but not limited to any news media, intervening parties or any Third Party expressing interest in the case.

4. If the deposition of Bob Boe is necessary, the parties are to make arrangement through The Baca Law Office, and Attorney Rodney A. Baca.

5. Pending Further Order or just cause

IT IS SO ORDERED.

~~HONORABLE JUDGE SINCLAIR~~

IN THE COURT OF COMMON PLEAS
STARK COUNTY, OHIO

JANE DOE, INDIVIDUALLY AND
AS NEXT FRIEND OF HOLLY ROE,
A MINOR, ET AL

Plaintiffs,

Vs.

MARLINGTON LOCAL SCHOOL
DISTRICT, ET AL

Defendants.

* CASE NO. 2005 CV 3180

* JUDGE: SINCLAIR

* ORDER

FILED

JUN 18 2005

PHIL G. GIAVASIS
STARK COUNTY OHIO
CLERK OF COURTS

Upon Motion of the Plaintiffs and for good cause shown, the Court hereby gives permission to the interested parties to proceed in this litigation under fictitious names, in order to protect and preserve the confidentiality of their minor child.

The Court further grants permission to file the Affidavit of Kim Boe, under seal.

Finally, the Court hereby orders all parties in this matter to refer to the individual parties by fictitious names in all documents to be filed with the Court.

This ruling is subject to further order of the Court.

IT IS SO ORDERED.

HONORABLE JUDGE SINCLAIR