

**NOTICE OF APPEAL OF DEFENDANT-APPELLANT
DIRECTOR, OHIO DEPARTMENT OF TRANSPORTATION**

Defendant-Appellant Director, Department of Transportation gives notice of his discretionary appeal to this Court, pursuant to Ohio Supreme Court Rule II, Section 1(A)(3), from a decision of the Franklin County Court of Appeals, Tenth Appellate District, journalized in Case No. 07-AP487 on February 7, 2008. Date-stamped copies of the Third District's Journal Entry and Opinion are attached as Exhibits 1 and 2, respectively, to the Appellant's Memorandum in Support of Jurisdiction.

For the reasons set forth in the accompanying Memorandum in Support of Jurisdiction, this case is one of public and great general interest.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Notice of Appeal of Defendant-Appellant Director, Ohio Department of Transportation, was served by U.S. mail this 24th day of March, 2008 upon the following counsel:

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William P. Marshall
Solicitor General