

# The Supreme Court of Ohio

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April 11, 2008

Edward G. Marks  
Hardin, Lefton, Lazarus & Marks LLC  
915 Cincinnati Club Bldg.  
30 Garfield Place  
Cincinnati, OH 45202-4322

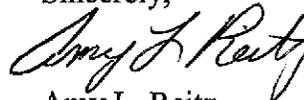
Re: *Cincinnati Bar Association v. Donald M. Powers, Jr.*, Case No. 08-0396

Dear Mr. Marks:

The above-named case is scheduled for oral argument on Wednesday, May 21, 2008. Pursuant to S. Ct. Prac. R. IX, Section 3, a party who does not file a merit brief in compliance with S. Ct. Prac. R. VI, Section 2 or Section 3, is deemed to have waived oral argument. Since a merit brief was not filed on behalf of the party you are representing, you are not permitted to argue the case.

If you have any questions regarding this matter, please contact me at (614) 387-9540.

Sincerely,



Amy L. Reitz  
Chief Deputy Clerk

cc: Justin T. Kudela, Case Management Counsel  
Franklin A. Klaine, Jr.