

IN THE SUPREME COURT OF OHIO

GARY L. NUNN : Case No. 07-2350
: :
Appellant : Court of Appeals
: Case No. CA 2006-08-098
- vs. - : Case No. CA 2006-08-099
: Case No. CA 2006-10-123
CHRISTOPHER CORNYN, ET AL. :
: Trial Court
Appellees : Case No. 04CV62162

ON APPEAL FROM THE WARREN COUNTY COURT OF APPEALS
TWELFTH APPELLATE DISTRICT

APPELLEE/CROSS-APPELLANT CHRISTOPHER CORNYN'S MEMORAN-
DUM OPPOSING APPELLANT/CROSS-APPELLEE'S MOTION FOR
RECONSIDERATION

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Sct. R. XI, Sec. 2 requires motions for reconsideration to “be CONFINED STRICTLY to the grounds urged for reconsideration . . . [and] SHALL NOT CONSTITUTE A REARGUMENT OF THE CASE”¹

What Mr. Nunn filed is nothing more than a more strident statement of the very same issues he raised in his rejected appeal to the Warren County Court of Appeals and in his rejected effort to have this Court extend its discretionary jurisdiction to his rehash of that earlier appeal.

About the only thing that makes this effort different is that he has now accused a prior visiting judge assigned to the case, Judge McCracken, of perjury.² He has also more directly — but nonetheless falsely— attempted to tie one of his own witnesses’ unfavorable testimony to the fact that the visiting judge who presided over the trial, Judge Winkler, made an entirely proper disclosure that he knew the witness but had not discussed this case with him.³ Nunn then falsely stated that the “the witness came to trail [sic] and changed his testimony.”⁴ In reality, Nunn and his former attorney knew exactly what the witness was going to say because he expressed the same changed opinions in his discovery deposition three months before the trial, was nevertheless called to testify at trial, and simply reiterated his earlier deposition testimony.

This case has gone farther than it ever should have done, and it’s time for it to end.

¹ Emphasis added.

² Nunn’s Motion for Reconsideration, at 1 (“Judge McCracken . . . perjured himself to the Supreme Court and the Disciplinary Counsel stating the case had been set for trail [sic].”).

³ *Id.*

⁴ *Id.*

We thus respectfully request that this Court summarily reject the Motion for Reconsideration.

Respectfully submitted,

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XI. CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been served upon the following, all by regular United States Mail, prepaid, on this 16th day of April, 2008.

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