

The Supreme Court of Ohio

To wit: September 4, 2008

Case No. 2008-1755

SUMMONS

The following has been named as respondent in the enclosed action:

Ninth District Court of Appeals
c/o Presiding Judge Donna J. Carr
161 South High Street
Akron, OH 44308

You are hereby notified that a complaint for a writ of mandamus has been filed against you in the SUPREME COURT OF OHIO, 65 South Front Street, Columbus, Ohio 43215-3431, by Kenneth Ganley, Paul Rambasek, and Brunswick Nissan, Inc. dba Brunswick Subaru, by and through their attorney, Christopher M. DeVito, Morganstern, MacAdams & DeVito Co., L.P.A., 623 West Saint Clair Avenue, Cleveland, Ohio 44113.

Furthermore, you are hereby served with a copy of the complaint (enclosed) and are required to file an answer to the complaint or a motion to dismiss on or before the 21st day after service of this summons. See S.Ct.Prac.R. X(5).

If you fail to respond timely to the complaint, this action will proceed before the Court.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the Supreme Court, this 4th day of September, 2008.

KRISTINA D. FROST CLERK

Justin Kudela DEPUTY