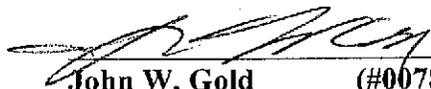


**STIPULATION FOR EXTENSION OF TIME
TO FILE MERIT BRIEF OF THE APPELLEE**

Now comes the Appellee, Randy J. Eppley, by and through undersigned Counsel, and hereby states that Counsel for the Appellee and for the Appellant Tri Valley Local School District Board of Education have stipulated to an extension of the time for filing the Appellee's Merit Brief. (By telephone conversation, September 2, 2008.) This stipulation is provided for by S. Ct. R. XIV, Sec. 3(B)(2)(a).

Appellant's Merit Brief was filed on August 8, 2008. By S. Ct. R. VI, Sec. 3(A), the Appellee's Brief is to be filed within thirty days of the filing of the Appellant's Brief, or by September 7, 2008. This stipulation is therefore timely under S. Ct. R. XIV, Sec. 3(B)(2)(a). Pursuant to S. Ct. R. XIV(3)(A) Appellee's Brief shall be due no later than Monday September 29, 2008.

Respectfully Submitted,



John W. Gold (#0078414)

Peter D. Traska (#0079036)

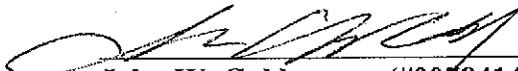
Elk & Elk Co., LTD
6110 Parkland Blvd
Mayfield Heights, OH 44124
Phone: (440) 442-6677
Fax: (440) 442-7944
Attorneys for Appellee

CERTIFICATE OF SERVICE

A copy of the foregoing has been sent by regular U.S. Mail on this 3rd Day of September, 2008

to the following:

Michael E. Stinn
BRITTON, SMITH, PETERS & KALAIL, CO, LPA
3 Summit Park Drive, Suite 400
Cleveland, Ohio 44131-2582
Attorneys for Appellant
Tri-Valley Local School District
Board of Education


John W. Gold (#0078414)
Attorney for Appellee