

The Supreme Court of Ohio

To wit: September 15, 2008

Case No. 2008-1810

SUMMONS

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

The Ohio State University
c/o Kimberly Schumate,
Associate General Counsel
For Employment Matters
1590 North High Street
Suite 500
Columbus, OH 43210

You are hereby notified that an amended 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, Charles David Fooce, by and through his attorney, Christopher P. Ore, The Law Offices of Christopher P. Ore, 729 S. Third St., Columbus, OH 43206.

Furthermore, you are hereby served with a copy of the complaint (enclosed) and are required to file an answer to the amended 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 amended 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 15th day of September, 2008.

KRISTINA D. FROST

CLERK

Justin Kudela

DEPUTY