

IN THE SUPREME COURT OF OHIO

THE ESTATE OF JEFFREY K.  
HEINTZELMAN, et al.,

Plaintiff-Appellant,

-vs-

AIR EXPERTS, INC., et al.,

Defendant-Appellee.

: Case No.: 08-2173  
:  
:  
: On Appeal from the Delaware  
: County Court of Appeals,  
: Fifth Appellate District  
:  
: Court of Appeals  
: Case No.: 07CAE09-0045

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NOTICE OF DETERMINATION OF MOTION TO CERTIFY CONFLICT  
OF AMERICAN FAMILY INSURANCE COMPANY

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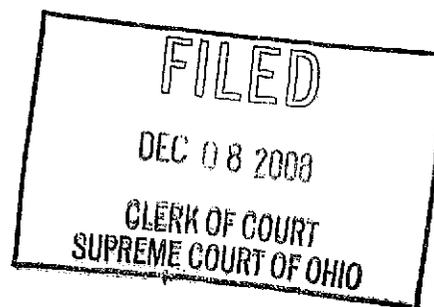
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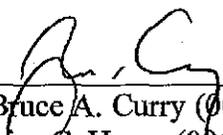


Notice of Determination of Motion to Certify Conflict of  
Appellant American Family Insurance Company

Now comes Appellant American Family Insurance Company, by and through legal counsel, pursuant to Rule IV, Section 4(B) of the Rules of Practice of the Supreme Court of Ohio, and hereby gives notice that on December 2, 2008, the Delaware County Court of Appeals determined in Case No. 07CAE09-0045 that no conflict exists as between its September 24, 2008, Decision in the case and other Courts of Appeals Decisions.

Respectfully submitted,

CURRY, ROBY & MULVEY CO., LLC

  
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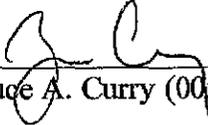
CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served upon the following:

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by ordinary U.S. mail on this 4<sup>th</sup> day of Dec, 2008.

  
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Bruce A. Curry (0052401)