

IN THE SUPREME COURT OF OHIO

CITY OF LIMA, OHIO)

Appellee,)

vs.)

STATE OF OHIO)

Appellant.)

CASE NO. 2008-0128

On Appeal from the Allen
County Court of Appeals,
Third Appellate District

Court of Appeals
Case No. 10721

MOTION OF *AMICUS CURIAE* THE CITY OF CLEVELAND FOR LEAVE OF
COURT TO PRESENT ARGUMENT ON JANUARY 20, 2009 IN SUPPORT OF
APPELLEE CITY OF LIMA (S.CT. PRAC. R. IX, SECTION 6(A))

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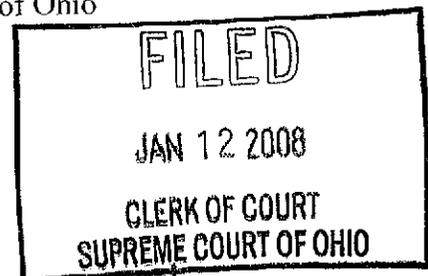
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MOTION OF AMICUS CURIAE THE CITY OF CLEVELAND FOR LEAVE OF COURT TO PRESENT ARGUMENT ON JANUARY 20, 2009 IN SUPPORT OF APPELLEE CITY OF LIMA (S. CT. PRAC. R. IX, SECTION 6(A))

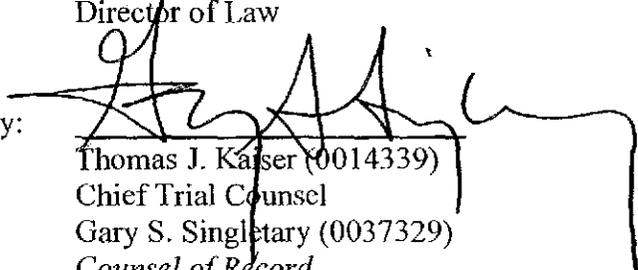
On September 10, 2008 the City of Cleveland ("City") filed an *amicus curiae* brief in support of appellee the City of Lima ("Lima"). Supreme Court Practice Rule IX, Section 6(A) provides in pertinent part that "with leave of the Supreme Court and the consent of counsel for the side whose position the *amicus curiae* supports, counsel for the *amicus curiae* may present oral argument within the time allotted to that side." Oral argument in this matter is scheduled for January 20, 2009. Counsel for Lima has been contacted by undersigned counsel of record and Lima consents to Cleveland presenting oral argument within the time allotted to Lima as the appellee in this matter.

In accord with S. Ct. Prac. R. IX, Section 6(A) Cleveland herein requests that this Court grant leave and allow counsel for Cleveland to present oral argument as *amicus curiae* in support of Appellee City of Lima.

Respectfully submitted,

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By:


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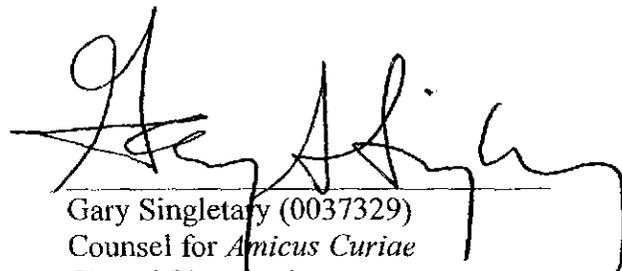
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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the "*Motion of Amicus Curiae the City of Cleveland for Leave of Court to Present Argument on January 20, 2009 in Support of Appellee City of Lima (S. Ct. Prac. R. IX, Section 6(A)*" was served by regular U.S. Mail on this 9th day of January, 2009 to:

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