

IN THE SUPREME COURT OF OHIO

STATE EX REL. GERALD O.E.)
NICKOLI AND ROBIN L.B. NICKOLI.)
et al.)
)
Relators.)
)
v.)
)
ERIE METROPARKS, et al.)
)
Respondents.)

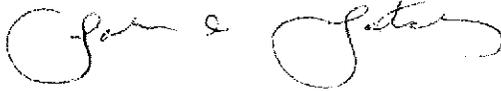
CASE NO. 09-0026

**RESPONDENTS' STIPULATED
MOTION FOR EXTENSION OF TIME
FOR RESPONSE TO COMPLAINT**

Now come Respondents who, pursuant to Ohio Supreme Court Rule of Practice XIV, Section 3(B)(2)(a), hereby submit this Stipulated Motion for Extension of Time until February 10, 2009 to respond to Relators' Complaint made under S. Ct. Prac. R. X. Undersigned counsel has been temporarily retained so that the Public Entities Pool ("PEP"), a municipal risk pool of which Respondents are members, may make a coverage decision whether to defend its members Erie MetroParks and Board of Park Commissioners Erie MetroParks. It is anticipated that the coverage opinion will take approximately two weeks for PEP's coverage counsel to prepare. Accordingly, in the event coverage or a defense is denied, so that Respondents may have sufficient time to respond to the Complaint, this extension of time is necessary to protect Respondents' interests and afford them sufficient time to secure legal counsel. For good cause shown, this Stipulated Motion for Extension of Time should be granted.

FILED
JAN 26 2009
CLERK OF COURT
SUPREME COURT OF OHIO

Respectfully submitted,



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CERTIFICATE OF SERVICE

A copy of the foregoing Stipulated Motion for Extension of Time for Response to Complaint was served this 23rd day of January, 2009, via regular U.S. mail, upon:

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