

IN THE SUPREME COURT OF OHIO

Appeal Number **09-0211**

On Appeal from the Stark County Court of Appeals, Fifth Appellate District

National Solid Wastes Management Association

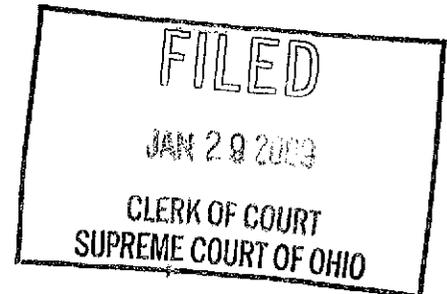
v.

Stark-Tuscarawas-Wayne Joint Solid Waste Management District

**NOTICE OF APPEAL OF PLAINTIFF-APPELLANT
NATIONAL SOLID WASTES MANAGEMENT ASSOCIATION**

Terrence M. Fay (0022935) (COUNSEL OF RECORD)
FROST BROWN TODD LLC
One Columbus, Suite 2300
10 West Broad Street
Columbus, Ohio 43215-3467
Phone (614) 464-1211
Fax: (614) 464-1737
tfay@fbtlaw.com

Christopher S. Habel (0064913)
Douglas R. Dennis (0065706)
FROST BROWN TODD LLC
2200 PNC Center
201 East Fifth Street
Cincinnati, Ohio 45202
Phone: (513) 651-6800
Fax: (513) 651-6981
chabel@fbtlaw.com
ddennis@fbtlaw.com
Counsel for Plaintiff-Appellant National Solid Wastes Management Association



Thomas W. Connors (0007226)
Kristin R. Zemis (0062182)
BLACK, McCUSKEY, SOUERS & ARBAUGH
220 Market Avenue South, Suite 1000
Canton, Ohio 44702
Phone: (330) 456-8341
Facsimile: (330) 456-5756
tconnors@bmsa.com
kzemis@bmsa.com
Counsel for Defendant-Appellee Stark-Tuscarawas-Wayne Joint Solid Waste Management District

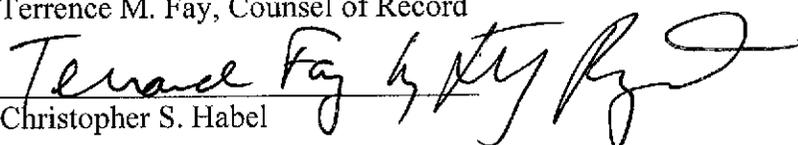
Notice of Appeal of Plaintiff-Appellant
National Solid Wastes Management Association

Plaintiff-Appellant National Solid Wastes Management Association gives its notice of appeal to the Supreme Court of Ohio from the Entry of the Stark County Court of Appeals, Fifth Appellate District, entered in the case *National Solid Wastes Management Association v. Stark-Tuscarawas-Wayne Joint Solid Waste Management District*, Case Number 2008CA00011 on December 15, 2008.

This case raises issues of public and great general interest because it empowers one solid waste district to impose onerous recycling mandates on all of its surrounding Ohio solid waste districts and in the process, rewrites the applicable statutes and disrupts the orderly and efficient management of solid wastes throughout the State.

Respectfully submitted,

Terrence M. Fay, Counsel of Record


Christopher S. Habel

Counsel for Plaintiff-Appellant National Solid Wastes
Management Association

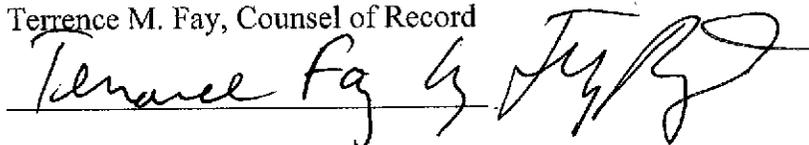
Of Counsel:
Douglas R. Dennis

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Notice of Appeal has been sent by ordinary United States mail, postage prepaid on this 29th day of January, 2009 to:

Thomas W. Connors (0007226)
Kristin R. Zemis (0062182)
BLACK, McCUSKEY, SOUERS & ARBAUGH
220 Market Avenue South, Suite 1000
Canton, Ohio 44702
Phone: (330) 456-8341
Facsimile: (330) 456-5756

Terrence M. Fay, Counsel of Record

A handwritten signature in cursive script, appearing to read "Terrence Fay", written over a horizontal line.

Counsel for Plaintiff-Appellant National Solid Waste
Management Association