

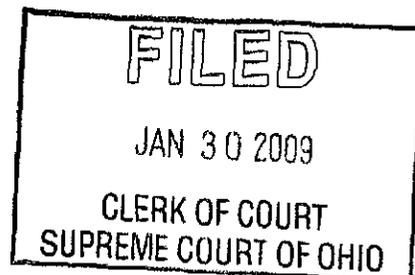
IN THE SUPREME COURT OF OHIO

DONALD KRIEGER, et al.,)
)
 Appellees,) Case No. 2008-1463
vs.)
) On Appeal from the Eighth District
) Court of Appeals, Cuyahoga County
) Case Nos. 89314, 89428, and 89463
CLEVELAND INDIANS BASEBALL)
Co., et al.,)
 Appellant.)

STIPULATED EXTENSION OF TIME FOR FILING OF APPELLANT CITY OF
CLEVELAND'S MERIT BRIEF

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Appellant City of Cleveland's merit brief in this case is currently due on or before February 18, 2009. Pursuant to S.Ct.Prac.R. XIV(3)(B)(a), the parties hereby stipulate that appellant City of Cleveland shall have an extension of time of twenty days in which to file its merit brief. Pursuant to this extension of time, appellant City of Cleveland's merit brief is now due on or before March 10, 2009.

Respectfully submitted,

Jerome A. Payne Jr., Counsel of Record

Jerome A. Payne, Jr.

COUNSEL FOR APPELLANT CITY OF CLEVELAND

Sean P. Allen, Co-Counsel of Record

/s/ by telephone consent

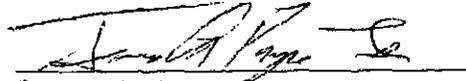
Sean P. Allen

CO-COUNSEL FOR APPELLEES DONALD KRIEGER &
CLIFTON OLIVER

CITY OF CLEV DEPT OF LAW

Certificate of Service

I certify that a copy of the Stipulated Extension of Time was sent by ordinary U.S. mail and faxed to counsel for Appellees, John J. Chambers, Jr., 22649 Lorain Road, Fairview Park, Ohio 44126; John J. Spellacy, 526 Superior Ave., N.E., 1540 Leader Building, Cleveland, Ohio 44144; and Sean P. Allan, 1300 The Rockefeller Building, 614 W. Superior Avenue, Cleveland, Ohio 44113 on January 30, 2009.



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