

IN THE SUPREME COURT OF OHIO
COLUMBUS, OHIO

OSNABURG TOWNSHIP ZONING
INSPECTOR,
Plaintiff-Appellant,

v.

ESLICH ENVIRONMENTAL, INC.,
Defendant/ Third-Party
Plaintiff-Appellee,

v.

OSNABURG TOWNSHIP, et al.,
Third-Party Defendant-
Appellant.

CASE NO. 09-0228

ON MOTION FOR LEAVE TO
APPEAL FROM THE OHIO COURT
OF APPEALS FOR STARK COUNTY,
FIFTH APPELLATE DISTRICT,
CASE NO. 2008-CA-00026

**NOTICE OF APPEAL OF PLAINTIFF-APPELLANT
OSNABURG TOWNSHIP ZONING INSPECTOR AND
THIRD-PARTY DEFENDANT-APPELLANT OSNABURG TOWNSHIP**

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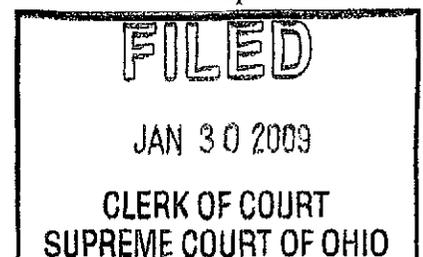
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Osnaburg Township Board of Trustees,
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**NOTICE OF APPEAL OF PLAINTIFF-APPELLANT OSNABURG TOWNSHIP
ZONING INSPECTOR AND THIRD-PARTY DEFENDANT-APPELLANT OSNABURG
TOWNSHIP**

The Osnaburg Township Zoning Inspector, and Osnaburg Township, through the undersigned Prosecuting Attorney, hereby give notice of appeal to the Supreme Court of Ohio from the judgment of the Court of Appeals for Stark County, Fifth Appellate District, entered in the Court of Appeal Case Number 2008-CA-00026 entered on December 16, 2008.

The case raises a substantial constitutional question and is one of public or great general interest.

Respectfully submitted,

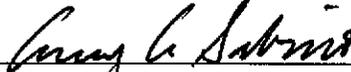
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PROOF OF SERVICE

A copy of the foregoing NOTICE OF APPEAL was sent by ordinary U.S. mail this 28 th day of January, 2009, to MICHAEL A. CYPHERT, Walter & Haverfield LLP, 1301 East Ninth Street, Suite 3500, Cleveland, Ohio 44114 and to STANLEY P. RUBIN, 437 Market Ave. North, Canton, Ohio 44702.



AMY A. SABINO

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Third-Party Defendant-Appellant.