

IN THE SUPREME COURT OF OHIO

American General Financial Services, Inc.,

Defendant-Appellant,

vs.

Shelton Coleman,

Plaintiff-Appellee.

Case Nos. 08-1009  
08-0905

Both On Appeal from the Cuyahoga  
County Court of Appeals, Eighth  
Appellate District

---

CONSENTED TO MOTION TO RESCHEDULE ORAL ARGUMENT

---

Barbara Friedman Yaksic (#0014338)  
Richard A. Freshwater (#0080762)  
McGlinchey Stafford, PLLC  
25550 Chagrin Boulevard, Suite 406  
Cleveland, OH 44122-4640  
Telephone: (216) 378-9905  
Facsimile: (216) 378-9910  
[byaksic@mcglinchey.com](mailto:byaksic@mcglinchey.com)  
[rfreshwater@mcglinchey.com](mailto:rfreshwater@mcglinchey.com)

COUNSEL FOR DEFENDANT-  
APPELLANT AMERICAN GENERAL  
FINANCIAL SERVICES, INC.

Brian Ruschel (#0046631)  
925 Euclid Ave., Ste. 660  
Cleveland, OH 44115-1405  
Telephone: (216) 621-3370  
Facsimile: (216) 621-3371  
[bruschel@aol.com](mailto:bruschel@aol.com)

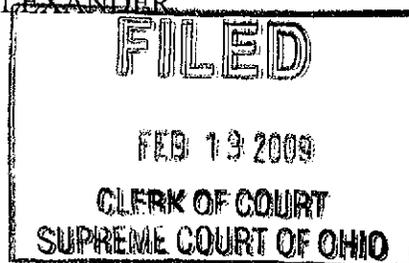
COUNSEL FOR PLAINTIFF-APPELLEE  
SHELTON COLEMAN

Scott A. King (#0037582)  
Terry W. Posey, Jr. (#007292)  
Thompson Hine LLP  
2000 Courthouse Plaza, NE  
P.O. Box 8801  
Dayton, OH 45401-8810  
Telephone: (937) 443-6560  
Facsimile: (937) 443-6830  
[Scott.King@Thompsonhine.com](mailto:Scott.King@Thompsonhine.com)  
[Terry.Posey@Thompsonhine.com](mailto:Terry.Posey@Thompsonhine.com)

COUNSEL FOR DEFENDANT-  
APPELLANT WELLS FARGO FINANCIAL  
OHIO 1, INC.

Patrick J. Perotti (#005481)  
Dworken & Bernstein Co., L.P.  
60 South Park Place  
Painesville, OH 44077  
Telephone: (440) 351-3391  
Facsimile: (440) 352-3469  
[pperotti@dworkenlaw.com](mailto:pperotti@dworkenlaw.com)

COUNSEL FOR PLAINTIFF-APPELLEE  
LILLIE ALEXANDER



IN THE SUPREME COURT OF OHIO

|  |   |                                  |
|--|---|----------------------------------|
| American General Financial Services, Inc., | : |                                  |
|  | : |                                  |
| Defendant-Appellant,                       | : | Case Nos. 08-1009                |
|  | : | 08-0905                          |
| vs.  | : |                                  |
|  | : |                                  |
| Shelton Coleman,                           | : | Both On Appeal from the Cuyahoga |
|  | : | County Court of Appeals, Eighth  |
| Plaintiff-Appellee.                        | : | Appellate District               |
|  | : |                                  |
|  | : |                                  |
|  | : |                                  |

Appellant American General Financial Services, Inc. respectfully requests that the Court reschedule the Oral Argument recently scheduled for March 24, 2009 in the referenced cases. These cases were consolidated for oral argument.

Counsel has an unavoidable conflict that date, including the fact that lead counsel for American General has a previously scheduled commitment that will take her out of the country from March 23 through 27. Because the Clerk's Frequently Asked Questions indicate oral arguments are normally scheduled three to six months after the final reply brief is filed (here, February 2, 2009), the undersigned did not believe it was necessary to inform the Court she would be out of the country in the month of March.<sup>1</sup> This request is not sought for the purpose of delay, and will not prejudice any party. All counsel in both referenced cases have consented to this request.

---

<sup>1</sup> See [http://www.sconet.state.oh.us/Clerk\\_of\\_Court/faq/faq.pdf](http://www.sconet.state.oh.us/Clerk_of_Court/faq/faq.pdf) - Page 5.

/s/Brian Ruschel (per telephone consent)

Brian Ruschel, Esq. (0046631)  
925 Euclid Ave., Ste. 660  
Cleveland, OH 44115-1405  
Telephone: (216) 621-3370  
Facsimile: (216) 621-3371  
[bruschel@aol.com](mailto:bruschel@aol.com)

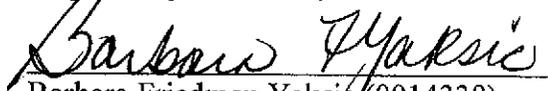
*Counsel for Plaintiff-Appellee  
Shelton Coleman*

/s/ Scott A. King (per telephone consent)

Scott A. King (#0037582)  
Terry W. Posey, Jr. (#007292)  
Thompson Hine LLP  
2000 Courthouse Plaza, NE  
P.O. Box 8801  
Dayton, OH 45401-8810  
Telephone: (937) 443-6560  
Facsimile: (937) 443-6830  
[Scott.King@Thompsonhine.com](mailto:Scott.King@Thompsonhine.com)  
[Terry.Posey@Thompsonhine.com](mailto:Terry.Posey@Thompsonhine.com)

*Counsel for Defendant-Appellant Wells Fargo  
Financial Ohio 1, Inc.*

Respectfully submitted,



Barbara Friedman Yaksic (0014338)  
Richard A. Freshwater (0080762)  
McGlinchey Stafford, PLLC  
25550 Chagrin Boulevard, Suite 406  
Cleveland, Ohio 44122-4640  
Telephone: (216) 378-9905  
Fax: (216) 378-9910  
[byaksic@mcglinchey.com](mailto:byaksic@mcglinchey.com)  
[rfreshwater@mcglinchey.com](mailto:rfreshwater@mcglinchey.com)

*Counsel for Appellant American General  
Financial Services, Inc.*

/s/ Patrick J. Perotti (per telephone consent)

Patrick J. Perotti (#005481)  
Dworken & Bernstein Co., L.P.  
60 South Park Place  
Painesville, OH 44077  
Telephone: (440) 351-3391  
Facsimile: (440) 352-3469  
[pperotti@dworkenlaw.com](mailto:pperotti@dworkenlaw.com)

*Counsel for Plaintiff-Appellee Lillie Alexander*

**CERTIFICATE OF SERVICE**

A copy of the foregoing *Consented to Motion to Reschedule Oral Argument* prepared by the undersigned in conjunction with all counsel, was sent by regular U.S. Mail, first class, postage prepaid this 12<sup>th</sup> day of February, 2009 to:

Brian Ruschel, Esq.  
925 Euclid Ave., Ste. 660  
Cleveland, OH 44115-1405

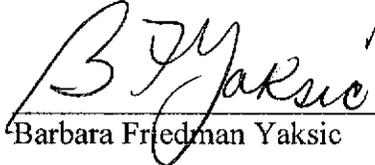
*Counsel for Plaintiff-Appellee  
Shelton Coleman*

Scott A. King, Esq.  
Terry W. Posey, Jr., Esq.  
Thompson Hine LLP  
2000 Courthouse Plaza, NE  
P.O. Box 8801  
Dayton, OH 45401-8810

*Counsel for Defendant-Appellant Wells Fargo  
Financial Ohio 1, Inc.*

Patrick J. Perotti, Esq.  
Dworken & Bernstein Co., L.P.  
60 South Park Place  
Painesville, OH 44077

*Counsel for Plaintiff-Appellee Lillie  
Alexander*

  
\_\_\_\_\_  
Barbara Friedman Yaksic

570714.1