

**IN THE SUPREME COURT OF OHIO**

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**THE STATE EX REL. JENNA L. ARNOTT,**  
2861 STATE ROUTE 124  
RACINE, OHIO 45771

**RELATOR**

**CASE NO. 2009-0429**

-VS-

**ANSWER OF RESPONDENT**

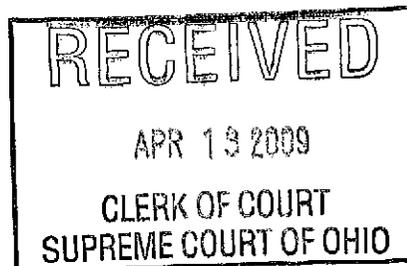
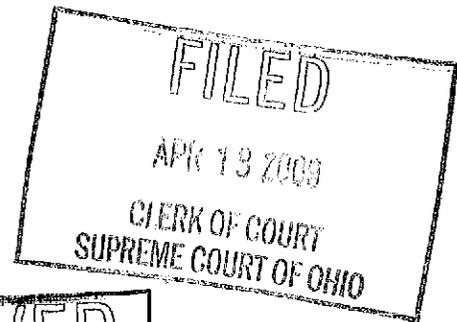
**THE BOARD OF SYRACUSE/RACINE  
REGIONAL SEWER DISTRICT**  
P.O. Box 201  
RACINE, OHIO 45771

**RESPONDENT**

**ANSWER OF RESPONDENT**

DOUGLAS W. LITTLE (0007537)  
LITTLE, SHEETS & WARNER LLP  
211-213 East Second Street  
Pomeroy, Ohio 45769  
740-992-6689  
[dwlittle@lswlegal.com](mailto:dwlittle@lswlegal.com)  
COUNSEL OF RECORD FOR RESPONDENTS  
BOARD OF SYRACUSE/RACINE REGIONAL SEWER DISTRICT

ROBERT L. GRIFFIN (0032885)  
P.O. Box 132  
Reedsville, Ohio 45772  
740-378-6505  
[Robertl\\_griff@yahoo.com](mailto:Robertl_griff@yahoo.com)  
COUNSEL OF RECORD FOR RELATOR  
JINNA L. ARNOTT



## ANSWER

### FIRST DEFENSE

1. Respondent admits the allegations contained in paragraphs 1, 2, 3, 6, 7, 8, 13, and 14 of the complaint.
2. Respondent admits the allegations contained in paragraph 4 of the complaint, except that its representatives have no recollection of how many copies were requested.
3. Respondent admits the allegations contained in paragraph 12 of the complaint, except that Respondent Syracuse/Racine Regional Sewer District has no connection to the Village of Racine.
3. Respondent denies the allegations contained in paragraph 5 of the complaint to the extent that its fee structure was based upon the Meigs County Court rate. Respondents fee structure was based upon the rate charged by the Meigs County Recorder's Office.
4. Respondent alleges he is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs 9, 10, and 11 of the complaint.
5. Respondent denies the allegations contained in paragraphs 15 and 16 of the complaint, in so much as they are conclusions of law.
6. Respondent denies the allegations contained in paragraphs 17, 19, 20, 21, 22, 23 and 24 of the complaint.
7. Respondent realleges, restates, and incorporates by reference its admissions, denials, and other responses set forth in this answer, as if fully restated herein, in response to paragraph 18 of the complaint.

## SECOND DEFENSE

8. The issue is now moot in as much as Respondent, after reassessment of the policy, has changed its copying fee to \$0.25 cents per page. However, Respondent still maintains that at the time of passage of Motion 93-09, its actions under the circumstances were reasonable and taken in good faith.

## THIRD DEFENSE

9. Respondent reasonably believed the \$2.00 fee it was charging for copies was not in violation of any administrative rule or codified statute. Its belief was reasonable because it followed the fee structure used by the Meigs County Recorder's Office.

10. Respondent reasonably believed the \$2.00 fee it was charging for copies served the public policy behind the fee structure; namely, maintaining uniformity among public offices.

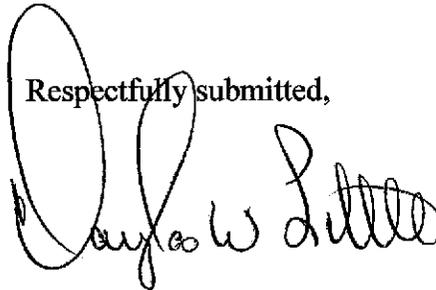
11. Respondent did not fail to respond to any public records request made by Relator. Respondent did not promise to allow Relator to inspect or receive copies of the records only to later renege on that promise. Respondent did not fail to produce requested copies of public records within a reasonable time.

12. Respondent allowed Relator unencumbered and open access to its public records. Respondent never acted in a manner that discouraged the copying of public records. Respondent did not fail to perform its duties as required by law.

FOURTH DEFENSE

13. Respondent restates that their actions regarding this controversy have been non-malicious and taken in good faith. Respondent is a political subdivision and has limited financial resources. It serves a small, rural, economically disadvantaged community, to the best of its ability.

Respectfully submitted,

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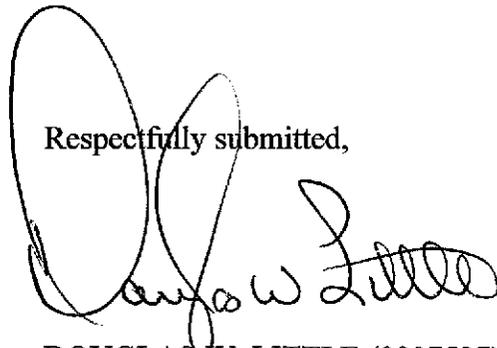
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[dwlittle@lswlegal.com](mailto:dwlittle@lswlegal.com)  
COUNSEL OF RECORD FOR RESPONDENTS  
BOARD OF SYRACUSE/RACINE REGIONAL  
SEWER DISTRICT

**CERTIFICATE OF SERVICE**

The undersigned counsel for Respondent, Board of Syracuse/Racine Regional Sewer District, hereby certifies that a copy of the foregoing ANSWER OF RESPONDENT was served on the following by United States Mail Service this 9<sup>th</sup> day of April, 2009:

ROBERT L. GRIFFIN (0032885)  
P.O. Box 132  
Reedsville, Ohio 45772  
740-378-6505  
[Robertl\\_griff@yahoo.com](mailto:Robertl_griff@yahoo.com)  
COUNSEL OF RECORD FOR RELATOR  
JINNA L. ARNOTT

Respectfully submitted,

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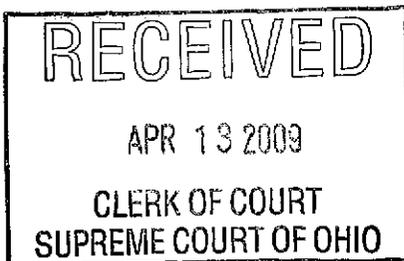
**NOTICE OF ANSWERS TO  
INTERROGATORIES**

**THE BOARD OF SYRACUSE/RACINE  
REGIONAL SEWER DISTRICT  
P.O. Box 201  
RACINE, OHIO 45771**

**RESPONDENT**

**NOTICE OF ANSWERS TO INTERROGATORIES**

Now comes Respondent, Board of Syracuse/Racine Regional Sewer District, and hereby notifies this Court that on the 9<sup>th</sup> day of April, 2009, the Respondent submitted answers requested in RELATOR'S FIRST SET OF INTERROGATORIES PROPOUNDED TO RESPONDENT.



Respectfully submitted

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