

ORIGINAL

In the  
Supreme Court of Ohio

OSNABURG TOWNSHIP ZONING  
INSPECTOR,

Plaintiff-Appellant,

v.

ESLICH ENVIRONMENTAL, INC.,

Defendant/Third-Party  
Plaintiff-Appellee,

v.

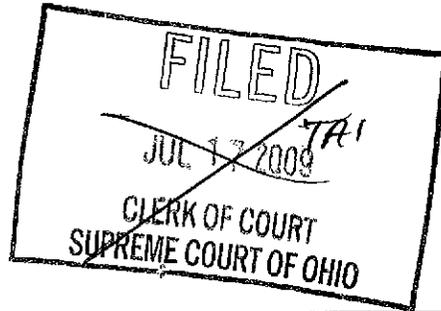
OSNABURG TOWNSHIP, et al.,

Third-Party Defendant-  
Appellant.

Case No. 2009-0228

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

Court of Appeals Case  
No. 2008-CA-00026



**MOTION TO ADMIT DAVID M. LIEBERMAN *PRO HAC VICE*  
TO REPRESENT *AMICUS CURIAE* STATE OF OHIO**

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Board of Trustees, and Osnaburg Township

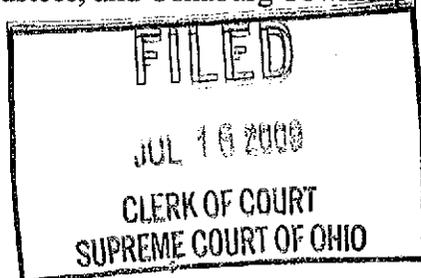
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BENJAMIN C. MIZER\* (0083089)  
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DAVID M. LIEBERMAN (*pro hac vice*  
*application pending*)

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**MOTION TO ADMIT DAVID M. LIEBERMAN *PRO HAC VICE*  
TO REPRESENT *AMICUS CURIAE* STATE OF OHIO**

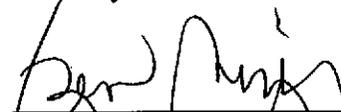
In accordance with Supreme Court Practice Rule I, Section 2, Benjamin C. Mizer (Ohio Bar No. 0083089) moves the Court to admit David M. Lieberman to appear on behalf of and represent *pro hac vice Amicus Curiae* State of Ohio in the above-captioned matter, stating the following grounds:

1. Mr. Lieberman is a Deputy Solicitor in Ohio Attorney General Richard Cordray's Office, located at 30 East Broad Street, 17th Floor, Columbus, Ohio 43215.
2. Mr. Lieberman is the 2008-2009 Simon B. Karas Fellow.
3. Mr. Lieberman graduated from the Stanford Law School in 2006.
4. Mr. Lieberman is admitted to the bar of the Commonwealth of Virginia. He is also admitted to practice in the United States District Court for the Eastern District of Virginia and the United States Courts of Appeals for the Fourth, Sixth, and Ninth Circuits. He is a member in good standing of each of these bars.
5. This Court recently admitted Mr. Lieberman *pro hac vice* in *Krieger v. Cleveland Indians Baseball Co.*, No. 2008-1463, *State v. Jackson*, No. 2008-1499, and *In re Smith*, No. 2008-1624.
6. Mr. Lieberman filed an Application to Register as a Candidate for Admission to the Practice of Law with the Court on July 9, 2009. He intends to sit for the February 2010 bar exam.

WHEREFORE, Benjamin C. Mizer respectfully requests that this Court admit David M. Lieberman *pro hac vice* for the purpose of representing *Amicus Curiae* State of Ohio in the above-captioned matter.

Respectfully submitted,

RICHARD CORDRAY (0038034)  
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Counsel for *Amicus Curiae* State of Ohio

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Motion to Admit David M. Lieberman *Pro Hac Vice* to Represent *Amicus Curiae* State of Ohio was served by U.S. mail this 16<sup>th</sup> day of July 2009, upon the following counsel:

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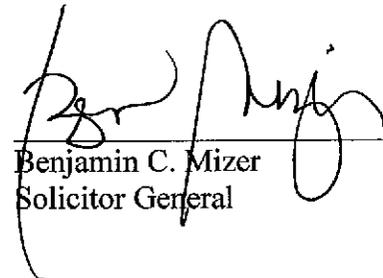
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Benjamin C. Mizer  
Solicitor General