In the

Supreme Court of Ohio

ORIGINAL

THE STATE OF OHIO ex rel. SCIOTO DOWNS, INC., et al,	:	
Relators,	:	
vs.	:	Case No. 2009-1294
JENNIFER BRUNNER, SECRETARY OF STATE OF OHIO, et al.,	:	Original Action in Mandamus and under Section 1g, Article II of the Ohio Constitution
Respondents.	:	

ANSWER OF RESPONDENT
JENNIFER BRUNNER, SECRETARY OF STATE

Luther L. Liggett, Jr. (0004683)
Attorney of Record
Anne Marie Sferra (0030855)
Vladimir P. Belo (0071334)
Bricker & Eckler LLP
100 South Third Street
Columbus, Ohio 43215
614-227-2300
614-227-2390 (fax)
lliggett@bricker.com
asferra@bricker.com
vbelo@bricker.com

Attorneys for Relators

D. Michael Haddox (0004913)
Muskingum County Prosecutor
27 North Fifth Street. P.O. Box 189
Zanesville, Ohio 43702
740-455-7123
740-455-7141 (fax)
dmhaddox@muskingumcounty.org

Attorney for Respondent
Muskingum County Board of Elections

Richard Cordray (0038034)
Attorney General of Ohio

Aaron D. Epstein (0063286)
Attorney of Record
Michael J. Schuler (0082390)
Richard N. Coglianese (0066830)
Assistant Attorneys General
Constitutional Offices Section
30 East Broad Street, 16th Floor
Columbus, Ohio 43215
614-466-2872
614-728-7592 (fax)
aaron.epstein@ohioattorneygeneral.gov
michael.schuler@ohioattorneygeneral.gov
richard.coglianese@ohioattorneygeneral.gov

Attorneys for Respondent Jennifer Brunner
Secretary Of State

FILED
JUL 22 2009
CLERK OF COURT
SUPREME COURT OF OHIO

Alan G. Starkoff (0003286)
Attorney of Record
Matthew L. Fornshell (0062101)
Matthew T. Green (0075408)
Schottenstein, Zox & Dunn, Co., L.P.A.
250 West Street
Columbus, Ohio 43215
614-462-2700
614-462-5135 (fax)
astarkoff@szd.com

Donald J. McTigue (0022849)
Mark A. McGinnis (0076275)
J. Corey Colombo (0072395)
McTigue & McGinnis LLC
550 East Walnut Street
Columbus, Ohio 43215
614-263-7000
614-263-7078 (fax)
mctiguelaw@rrohio.com

Attorneys for Intervenors
Ohio for Jobs & Growth Committee,
William J. Curlis, John T. Campbell,
Matthew Hammond, and Charles J. Luken

In the

Supreme Court of Ohio

THE STATE OF OHIO ex rel. SCIOTO DOWNS, INC., et al,	:	
Relators,	:	
vs.	:	Case No. 2009-1294
JENNIFER BRUNNER, SECRETARY OF STATE OF OHIO, et al.,	:	Original Action in Mandamus and under Section 1g, Article II of the Ohio Constitution
Respondents.	:	

ANSWER OF RESPONDENT
JENNIFER BRUNNER, SECRETARY OF STATE

Now comes Respondent Secretary of State Jennifer Brunner, and for her answer to the Relators' Petition for Writ of Mandamus states the following:

1. In response to Paragraph 1 of the Petition, the Secretary admits that Section 1g, Article II of the Ohio Constitution, which governs initiative, supplementary, and referenda petitions, was amended by approval of the electorate, effective November 4, 2008. Further answering, the Secretary admits that, as a result of the 2008 amendment, the Ohio Supreme Court now has "original, exclusive jurisdiction over all challenges made to petitions and signatures upon such petitions." The Secretary of State further avers that this is a case of first impression concerning the scope of review by this Court under that new constitutional provision.

2. In response to Paragraph 2 of the Petition, the Secretary admits that this Court has original jurisdiction in mandamus, pursuant to Article IV, Section 2(B)(1)(b) of the Ohio Constitution. Further answering, the Secretary denies this is a proper action in mandamus, inasmuch as it seeks a writ compelling her to perform discretionary functions and/or compelling

her simply to obey the law, which is not a proper use of the writ. The Secretary further avers that portions of this case are moot as she has issued Directive 2009-10.

3. In response to Paragraph 3 of the Petition, the Secretary admits that Relators seek "a writ or order commanding the Respondents to investigate violations of Ohio election laws by circulators of the initiative petition known as the 'Ohio Jobs and Growth Plan.'" Further answering, the Secretary states that the decision whether to investigate an allegation of wrongdoing is committed to the discretion of the officer or agency charged with enforcing the relevant law, and therefore a writ of mandamus cannot issue to compel the Secretary to conduct an investigation of alleged election law violations. In addition, the Secretary answers that the request is moot because an investigation is already underway. The Secretary further admits that Relators seek "a writ or order commanding the Respondents . . . to declare invalid all part-petitions circulated by circulators who have violated the election laws . . . or circulated by felons." Further answering, the Secretary states that this request is moot; the Secretary has certified the amendment, pursuant to her authority under R.C. 3501.05(K) and 3519.15, and nothing in Ohio law authorizes the Secretary or any county board of election to decertify the results retroactively. The Ohio Constitution now places sole responsibility for reviewing petition challenges (including conducting the necessary evidentiary hearings) with the Ohio Supreme Court. To the extent any further response is required, the allegations are denied.

4. The Secretary denies for lack of knowledge the allegations contained in Paragraph 4 of the Petition.

5. The Secretary denies for lack of knowledge the allegations contained in Paragraph 5 of the Petition.

6. With respect to the allegations contained in Paragraph 6 of the Petition, the Secretary admits that she is the duly elected Secretary of State of Ohio and that she has certain duties, which are outlined predominantly, but not exclusively, in Title 35 of the Ohio Revised Code. R.C. 3501.05(K), a statutory provision which speaks for itself. Further answering, the Secretary states that her duties do include determining and certifying the sufficiency of the initiative petitions submitted by the county boards of elections, but her duties do not include deciding challenges to those petitions or the signatures thereon because as a result of the 2008 Amendment to the Ohio Constitution, Ohio county board of elections determine the validity of initiative petitions and the Ohio Supreme Court has exclusive original jurisdiction to determine challenges to initiative petitions.

7. With respect to the allegations contained in Paragraph 7 of the Petition, the Secretary admits that the Muskingum County Board of Elections is a public office existing under the authority of R.C. 3501.06.

8. With respect to the allegations contained in Paragraph 8 of the Petition, the Secretary admits that the "Jobs & Growth Committee" filed a "Casino Initiative Petition" with the Secretary of State's office in June, 2009, which, if placed on the ballot and approved by the voters, would amend the Ohio Constitution to permit casino gambling establishments in five specific locations within the state of Ohio.

9. With respect to the allegations contained in Paragraph 9 of the Petition, the Secretary states that Sections 1a and 1g of the Ohio Constitution speak for themselves, and that Paragraph 9 states a legal conclusion to which no response is required. To the extent a response is required, Paragraph 9 of the Petition is denied.

10. With respect to the allegations contained in Paragraph 10 of the Petition, the Secretary admits that her office did perform its administrative duties with respect to the "Casino Initiative Petition," which included sending the part-petitions to the respective boards of elections in each county from which they originated, as mandated by R.C. 3501.38, R.C. 3519.06 and R.C. 3519.15. To the extent any further response is required, the allegations are denied.

11. With respect to the allegations contained in Paragraph 11 of the Petition, the Secretary admits that, pursuant to R.C. 3519.15, verifying the validity of the petitions and signatures thereon is the exclusive responsibility of the county boards of elections.

12. With respect to the allegations contained in Paragraph 12 of the Petition, the Secretary states that R.C. 3519.06 and R.C. 3519.05 speak for themselves, and that Paragraph 12 and sub-parts (A) – (E) of Paragraph 12 state a legal conclusion to which no response is required. To the extent a response is required, Paragraph 12 and sub-parts (A) – (E) of Paragraph 12 of the Petition is denied.

13. With respect to the allegations contained in Paragraph 13 of the Petition, the Secretary states that R.C. 3501.38(E)(1) and R.C. 3519.05 speak for themselves, and that Paragraph 13 states a legal conclusion to which no response is required. To the extent a response is required, Paragraph 13 of the Petition is denied.

14. With respect to the allegations contained in Paragraph 14 of the Petition, the Secretary admits that a circulator's use of a false permanent residence address would make the circulator's statement false. Further answering, the Secretary states that she specifically instructed the county boards of elections, in Directive 2009-10 (issued June 29, 2009) and Advisory 2009-06 (issued July 8, 2009), that they must not verify the validity of any part-petition that was false in any respect, including if the board received satisfactory evidence that the

circulator's listed permanent residential address was false. To the extent any further response is required, the allegations are denied.

15. With respect to the allegations contained in Paragraph 15 of the Petition, the Secretary states that Paragraph 15 states a legal conclusion to which no response is required. To the extent a response is required, the Secretary states that it is a general tenet of Ohio law that election laws require strict compliance except in cases where the statute expressly provides for substantial compliance only.

16. With respect to the allegations contained in Paragraph 16 of the Petition, the Secretary denies that she instructed the county boards improperly or told the county boards not to apply the "strict compliance" standard. Further answering, the Secretary states that she instructed the county boards, through Directive 2009-10 (issued June 29, 2009) and Advisory 2009-06 (issued July 8, 2009), to invalidate a part-petition based on a false circulator's address upon presentation of "satisfactory evidence" that the address was false, which is a correct statement of R.C. 3519.06. As previously stated, R.C. 3519.06 requires invalidation of a part-petition where there it "is made to appear by satisfactory evidence" that the information in the circulator's statement is false, or where it "appears from the face thereof" that the information is false. The Secretary correctly instructed the boards to accept the validity of a circulator's address if no challenger submits "satisfactory evidence" of falsity," which is merely a restatement of the governing law, and not the creation of a "legal presumption." (If a circulator gives an address, a county board cannot tell "from the face" of the document whether the address is false -- extrinsic evidence will always be necessary – so Directive 2009-10 did not discuss this aspect of R.C. 3519.06). To the extent any further response is required, the allegations are denied.

17. With respect to the allegations contained in Paragraph 17 of the Petition, the Secretary denies for lack of knowledge that circulators listed "hotels, commercial properties, or other non-residential locations" as their permanent residence addresses. Further answering, the Secretary states that listing a hotel as one's address might not be a false statement because that might actually be the circulator's permanent residence. Further answering, the Secretary states that she is unaware of any instance where the Relators or any other party submitted satisfactory evidence of a false circulator address to a county board and the county board validated the part-petition anyway. To the extent any further response is required, the allegations are denied.

18. With respect to the allegations contained in Paragraph 18 of the Petition, the Secretary states that she has no knowledge as to the accuracy of the information contained in Relators' Exhibit A.

19. With respect to the allegations contained in Paragraph 19 of the Petition, the Secretary admits that Relators' counsel sent Exhibit A to the Secretary of State. With respect to the remaining allegations contained in paragraph 19 of the Petition, the Secretary denies for lack of knowledge whether Relators' counsel sent Exhibit A to the county boards of elections. Further answering, the Secretary states that Exhibit A does not constitute "satisfactory evidence" that any circulators submitted false information.

20. With respect to the allegations contained in Paragraph 20 of the Petition, the Secretary denies for lack of knowledge that multiple circulators listed the same residential address. Further answering, the Secretary states that Relators' "suspicions" do not constitute "satisfactory evidence" that a particular circulator gave a false address. The Secretary repeats that she is unaware of any instance where the Relators or any other party submitted satisfactory

evidence of a false circulator address to a county board and the county board validated the part-petition anyway. To the extent any further response is required, the allegations are denied.

21. With respect to the allegations contained in Paragraph 21 of the Petition, the Secretary states that she has no knowledge as to the accuracy of the information contained in Relators' Exhibit B.

22. With respect to the allegations contained in Paragraph 22 of the Petition, the Secretary admits that Relators' counsel sent Exhibit B to the Secretary of State. With respect to the remaining allegations contained in paragraph 22 of the Petition, the Secretary denies for lack of knowledge whether Relators' counsel sent Exhibit B to the county boards of elections. Further answering, the Secretary states that Exhibit B does not constitute "satisfactory evidence" that any circulators submitted false information.

23. With respect to the allegations contained in Paragraphs 23 through 25 of the Petition, the Secretary notes that there is no allegation in the Petition that the Clark County Board of Elections validated any of the part-petitions called into question in these allegation, nor is there any allegation that the Clark County Board of Elections ignored the alleged findings of the Clark County Prosecutor's Office. In the absence of any such allegations – and since the Clark County Board of Elections has not been named as a Respondent in this action – the Secretary concludes that the allegations in Paragraphs 23 through 25 have no relevance to this case and require no further response. To the extent any further response is required, the allegations are denied.

24. With respect to the allegations contained in Paragraph 26 of the Petition, the Secretary denies for lack of knowledge that some circulators listed multiple residential addresses. Further answering, the Secretary states that she is unaware of any instance where a county board

validated a part-petition that contained multiple addresses for a circulator, nor do Relators allege this ever happened.

25. With respect to the allegations contained in Paragraph 27 of the Petition, the Secretary states that she has no knowledge as to the accuracy of the information contained in Relators' Exhibit D.

26. With respect to the allegations contained in Paragraph 28 of the Petition, the Secretary admits that Relators' counsel sent Exhibit D to the Secretary of State. With respect to the remaining allegations contained in paragraph 28 of the Petition, the Secretary denies for lack of knowledge whether Relators' counsel sent Exhibit D to the county boards of elections. Further answering, the Secretary states that she is unaware of any instance where a county board validated a part-petition that contained multiple addresses for a circulator, nor do Relators allege this ever happened.

27. With respect to the allegations contained in Paragraph 29 of the Petition, the Secretary states that Paragraph 29 states a legal conclusion to which no response is required. To the extent a response is required, Paragraph 29 of the Petition is denied.

28. With respect to the allegations contained in Paragraph 30 of the Petition, the Secretary states that it is the legal obligation of the county boards of elections, not the Secretary of State, to determine the validity of part-petitions, including the eligibility of the circulators. The Secretary further states that Paragraph 30 of the Petition states a legal conclusion, to which no response is required. To the extent a response is required, Paragraph 30 of the Petition is denied.

29. With respect to the allegations contained in Paragraph 31 of the Petition, the Secretary states that she has no knowledge as to whether Melissa M. Smith is a convicted felon

or whether her rights have been subsequently restored. Further answering, assuming Ms. Smith was an ineligible circulator, Relators have not alleged that any part-petitions circulated by Ms. Smith were validated by any county board of election.

30. With respect to the allegations contained in Paragraph 32 of the Petition, the Secretary states that if Relators have substantial evidence that a circulator provided a false residential address, they should submit that evidence to the Supreme Court for consideration, and if proven, those part-petitions will be invalidated. However, the Secretary understands Paragraph 32 to be making the point that the current system makes it difficult to identify potential felons, which, if true, is a matter for the General Assembly to address. To the extent are further response is required, the allegations are denied.

31. With respect to the allegations contained in Paragraph 33 of the Petition, the Secretary states that she is unaware of any instance in which a county board validated a part-petition in the face of substantial evidence" that the circulator misrepresented his or her identity, nor do Relators allege this ever happened. The Secretary further states that she ordered an examination of the part-petitions by the county boards of elections, pursuant to Directive 2009-10. To the extent any further response is required, the allegations are denied.

32. With respect to the allegations contained in Paragraph 34 of the Petition, the Secretary states that she has no knowledge as to the accuracy of the information contained in Relators' Exhibit E.

33. With respect to the allegations contained in Paragraphs 35 and 36 of the Petition, the Secretary states that Relators' "naked eye" appraisal of the handwriting on the part-petitions circulated by Jamar Owens is not substantial evidence that persons other than Mr. Owens circulated some or all of those petitions. In addition, Relators have not alleged that any part-

petition circulated by Mr. Owens was validated by a board of elections, so the Secretary concludes that the allegations in Paragraphs 35 and 36 have no relevance to this case and require no further response. The Secretary further states that she ordered an examination of the part-petitions by the county boards of elections, pursuant to Directive 2009-10. To the extent any further response is required, the allegations are denied.

34. With respect to the allegations contained in Paragraph 37 of the Petition, the Secretary admits that Relators' counsel sent Exhibit E to the Secretary of State.

35. With respect to the allegations contained in Paragraphs 38 and 39 of the Petition, the Secretary admits that county boards have a statutory duty to investigate possible violations of Revised Code Title 35. Further answering, the Secretary states that the sections of Chapter 35 cited in Paragraphs 38 and 39 of the Petition speak for themselves. The Secretary further states that she ordered an examination of the part-petitions by the county boards of elections, pursuant to Directive 2009-10. To the extent any further response is required, the allegations are denied.

36. With respect to the allegations contained in Paragraphs 40 and 41 of the Petition, the Secretary states that she is the chief elections officer of the state, with the statutory authority to issue directives and advisories, investigate the administration of election laws, compel the county boards to observe the requirements of election laws, and report suspected violations to the appropriate prosecuting authority. Further answering, the Secretary states that decisions regarding when and how to exercise these powers are, for the most part, discretionary, and not subject to compulsion by mandamus. The Secretary further states that she ordered an examination of the part-petitions by the county boards of elections, pursuant to Directive 2009-10. To the extent any further response is required, the allegations are denied.

37. With respect to the allegations contained in Paragraphs 42 and 43 of the Petition, the Secretary states that the Ohio Revised Code vests authority over decisions concerning the validity of petitions with the county boards of elections, not the Secretary of State, and that the Ohio Constitution, as amended, vests exclusive jurisdiction over petition challenges with the Ohio Supreme Court. For this reason, the Secretary denies that she has a "clear legal duty" to invalidate part-petitions. The Secretary further states that she ordered an examination of the part-petitions by the county boards of elections, pursuant to Directive 2009-10. To the extent any further response is required, the allegations are denied.

38. The Secretary denies for lack of knowledge the allegations contained in Paragraph 44 of the Petition.

39. With respect to the allegations contained in Paragraph 45 of the Petition, the Secretary admits that she issued Advisory 2009-06, which instructed the county boards to presume the validity of a circulator's address unless presented with satisfactory evidence that the address was false. Further answering, the Secretary states that this instruction was a correct statement of the law set forth in R.C. 3519.06. The Secretary further states that Advisory 2009-06 speaks for itself, and no response is required. To the extent a further response is required, Paragraph 45 of the Petition is denied.

40. With respect to the allegations contained in Paragraph 46 of the Petition, the Secretary admits that Advisory 2009-06 did not command the county boards to conduct any investigation. Further answering, the Secretary states that on July 20, 2009, she issued Advisory 2009-08 (attached as Respondent's Exhibit S-1). In that Advisory, the Secretary announced the start of an investigation into allegations of election fraud for possible criminal prosecution, which renders much of the present action moot.

41. The Secretary denies the allegations contained in Paragraph 47 of the Petition.

42. The Secretary denies for lack of knowledge the allegations contained in Paragraph 48 of the Petition.

43. The Secretary denies for lack of knowledge the allegations contained in Paragraph 49 of the Petition. The Secretary further states that she ordered an examination of the part-petitions by the county boards of elections, pursuant to Directive 2009-10. To the extent any further response is required, the allegations are denied.

44. With respect to the allegations contained in Paragraph 50 of the Petition, the Secretary admits that Relators' counsel sent Exhibit J to the Secretary of State. Further answering, the Secretary states that the letter speaks for itself and no response is required. To the extent a response is required, Paragraph 50 of the Petition is denied.

45. With respect to the allegations contained in Paragraph 51 of the Petition, the Secretary admits that Relators' counsel sent Exhibit K to the Secretary of State. Further answering, the Secretary states that the letter speaks for itself and no response is required. To the extent a response is required, Paragraph 51 of the Petition is denied.

46. With respect to the allegations contained in Paragraph 52 of the Petition, the Secretary admits that Relators' counsel sent Exhibit L to the Secretary of State. Further answering, the Secretary states that the letter speaks for itself and no response is required. To the extent a response is required, Paragraph 52 of the Petition is denied.

47. With respect to the allegations contained in Paragraph 53 of the Petition, the Secretary admits that Relators' counsel sent Exhibit M to the Secretary of State. Further answering, the Secretary states that the letter speaks for itself and no response is required. To the extent a response is required, Paragraph 53 of the Petition is denied.

48. With respect to the allegations contained in Paragraph 54 of the Petition, the Secretary admits that her General Counsel sent Exhibit N in response to Relators' letters of July 14 and July 15. Further answering, the Secretary states that the letter sent by her officer's General Counsel on July 16, 2009 speaks for itself and no response is required. To the extent a response is required, Paragraph 54 of the Petition is denied.

49. With respect to the allegations contained in Paragraph 55 of the Petition, the Secretary states that the letter sent to Relators' counsel by her office's General Counsel on July 16, 2009 speaks for itself and no response is required. To the extent a response is required, Paragraph 55 of the Petition is denied.

50. With respect to the allegations contained in Paragraph 56 of the Petition, the Secretary states that R.C. 3501.39(A)(3) and R.C. 3501.05(M) speak for themselves, and that Paragraph 56 states a legal conclusion to which no response is required. The Secretary further states that she has already ordered the boards of elections to investigate any possible criminal activity by issuing Directive 2009-10 and Advisory 2009-06. To the extent any further response is required, the allegations are denied.

51. Denies the allegations contained in Paragraph 57 of the Petition.

52. Denies the allegations contained in Paragraph 58 of the Petition.

53. With respect to the allegations contained in Paragraph 59 of the Petition, states that the Petition states a legal conclusion and no further response is required. To the extent a response is required, the allegations are denied.

54. With respect to the allegations contained in Paragraph 60 of the Petition, the Secretary states that Paragraph 60 states a legal conclusion to which no response is required. To the extent a response is required, the allegations are denied.

55. With respect to the allegations contained in Paragraph 61 of the Petition, the Secretary states that Paragraph 61 states a legal conclusion to which no response is required. To the extent a response is required, the allegations are denied.

56. The Secretary denies for lack of knowledge the allegations contained in Paragraph 62 of the Petition.

57. With respect to the WHEREFORE Paragraph and its respective subparagraphs, Respondent denies that the Relators are entitled to any of the relief stated therein or to any relief whatsoever.

58. The Secretary denies each and every allegation not specifically admitted.

WHEREFORE, having answered the Relators' Petition, the Secretary of State asserts the following defenses, including affirmative defenses:

First Defense

59. This Court lacks subject matter jurisdiction to hear the Relators' claims.

Second Defense

60. The Relators have failed to state a claim upon which relief in mandamus can be granted.

Third Defense

61. The Secretary of State's June 29, 2009 Directive 2009-10 follows the statutory scheme established by the Ohio General Assembly.

Fourth Defense

62. The Secretary's issuance of a directive is a discretionary act that cannot be reviewed by this Court in mandamus.

Fifth Defense

63. The Relators' claims are barred by the doctrine of laches.

Sixth Defense

64. Relators do not have standing to seek a writ compelling the Secretary to undertake a criminal investigation.

Seventh Defense

65. The Relators do not have a clear legal right to the relief requested.

Eighth Defense

66. The Respondent does not owe a clear legal duty to the Relators.

Ninth Defense

67. The Relators have an adequate remedy at law.

Tenth Defense

68. The Relators are not entitled to relief because their claims are now moot.

Eleventh Defense

69. The Relators failed to meet the proper technical requirements to file a Writ of Mandamus as required under this Court's Rules of Practice.

Twelfth Defense

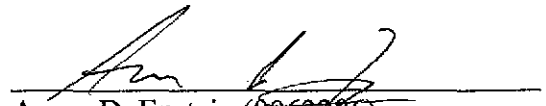
70. The Respondent reserves the right to add additional defenses, including additional affirmative defenses, as discovery proceeds in this case.

Having responded to the Relator's Petition, the Respondent prays that this Court issue an order dismissing this action and awarding her any other relief this Court believes to be just and equitable.

WHEREFORE, having answered the Relators' Petition, the Respondent requests that the Court dismiss this case.

Respectfully submitted,

RICHARD CORDRAY
Ohio Attorney General



Aaron D. Epstein (0063286)
Attorney of Record
Michael J. Schuler (0082390)
Richard N. Coglianese (0066830)
Assistant Attorneys General
Constitutional Offices Section
30 East Broad Street, 16th Floor
Columbus, Ohio 43215
614-466-2872
614-728-7592 (fax)
aaron.epstein@ohioattorneygeneral.gov
michael.schuler@ohioattorneygeneral.gov
richard.coglianese@ohioattorneygeneral.gov

Attorneys for Respondent Jennifer Brunner
Secretary Of State

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing *Answer of Respondent Jennifer Brunner, Secretary of State* was served on this 22nd day of July, 2009, by electronic mail, facsimile transmission and ordinary, postage prepaid U.S. mail to:

Luther L. Liggett, Jr. (0004683)
Attorney of Record
Anne Marie Sferra (0030855)
Vladimir P. Belo (0071334)
Bricker & Eckler LLP
100 South Third Street
Columbus, Ohio 43215
614-227-2300
614-227-2390 (fax)
lliggett@bricker.com
asferra@bricker.com
vbelo@bricker.com

Attorneys for Relators

D. Michael Haddox (0004913)
Muskingum County Prosecutor
27 North Fifth Street. P.O. Box 189
Zanesville, Ohio 43702
740-455-7123
740-455-7141 (fax)
dmhaddox@muskingumcounty.org

Attorney for Respondent
Muskingum County Board of Elections

Alan G. Starkoff (0003286)
Attorney of Record
Matthew L. Fornshell (0062101)
Matthew T. Green (0075408)
Schottenstein, Zox & Dunn, Co., L.P.A.
250 West Street
Columbus, Ohio 43215
614-462-2700
614-462-5135 (fax)
astarkoff@szd.com

Donald J. McTigue (0022849)
Mark A. McGinnis (0076275)
J. Corey Colombo (0072395)
McTigue & McGinnis LLC
550 East Walnut Street
Columbus, Ohio 43215
614-263-7000
614-263-7078 (fax)
mctiguelaw@rrohio.com

Attorneys for Intervenors
Ohio for Jobs & Growth Committee,
William J. Curlis, John T. Campbell,
Matthew Hammond, and Charles J. Luken

Aaron D. Epstein (0063286)
Assistant Attorney General