

ORIGINAL

IN THE SUPREME COURT OF OHIO

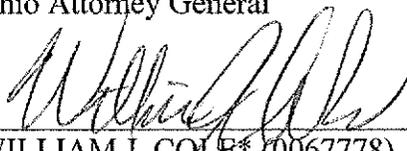
STATE ex rel. WAYNE T. DONER, et al.,	:	Case No. 2009-1292
	:	
Relators,	:	Original Action in Mandamus
	:	
v.	:	
	:	
SEAN D. LOGAN, Director,	:	
Ohio Department of Natural Resources, et al.,	:	
	:	
Respondents.	:	

**MOTION OF RESPONDENTS FOR AN EXPEDITED RULING ON  
THEIR PENDING COMBINED MOTION**

Respondents Ohio Department of Natural Resources and Sean D. Logan, Director of the Ohio Department of Natural Resources (collectively, "ODNR"), move this Court for an expedited ruling on ODNR's pending combined motion to refer this action to a master commissioner and to amend the alternative writ schedule. A memorandum supporting this motion follows.

Respectfully submitted:

RICHARD CORDRAY  
Ohio Attorney General



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SUPREME COURT OF OHIO

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**MEMORANDUM IN SUPPORT OF RESPONDENTS' MOTION**  
**FOR AN EXPEDITED RULING**

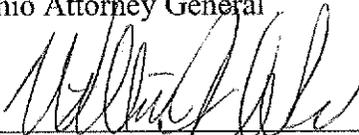
Pending before this Court is ODNR's combined motion to refer this action to a master commissioner and to amend the alternative writ schedule. Under the present writ schedule, ODNR has 14 days remaining (i.e., until Tuesday, October 20, 2009) to file its evidence.

While ODNR is proceeding diligently under the present writ schedule, it requests this Court for an expedited ruling on its motion to amend. An expedited ruling will permit both sides to plan and use their remaining time and resources accordingly. Also, if the pending motion is denied, ODNR and/or Relators may wish to seek an extension as provided by this Court's Practice Rules.

Accordingly, an expedited ruling on ODNR's pending combined motion should be granted.

Respectfully submitted:

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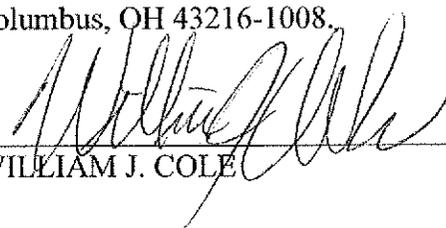
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**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing *Motion of Respondents for an Expedited Ruling* has been sent by regular and electronic mail on October 6, 2009 to Bruce L. Ingram, Joseph R. Miller, Thomas H. Fusonie, and Kristi Kress Wilhelmy, VORYS, SATER, SEYMOUR AND PEASE LLP, 52 E. Gay St., P.O. Box 1008, Columbus, OH 43216-1008.



WILLIAM J. COLE