

ORIGINAL

IN THE SUPREME COURT OF OHIO

<b>CITY OF CLEVELAND</b>	)	<b>Case No. 2008-2230</b>
	)	
<b>Appellee,</b>	)	<b>On Appeal from the</b>
	)	<b>Cuyahoga County Court of Appeals</b>
	)	<b>Eighth Appellate District</b>
<b>-v-</b>	)	
	)	
	)	
<b>DESTINY VENTURES, LLC</b>	)	
	)	
<b>Appellant.</b>	)	
	)	

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**NOTICE OF ADDITIONAL AUTHORITY FOR ORAL ARGUMENT**

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**FILED**  
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 CLERK OF COURT  
 SUPREME COURT OF OHIO

Now comes the City of Cleveland, by and through counsel, and hereby notifies the Court and counsel for Appellant, of the City's intent to reference the following additional authorities in the oral argument scheduled for December 2, 2009. For ease of reference, authorities that were referenced in case number 2009-0441, City of Cleveland v. Washington Mutual which is also scheduled to be heard on December 2, 2009, are designated with an asterisk.:

Cases

\**Boyer v. Boyer* (1976), 46 Ohio St.2d 83, 346 N.#.2d 286

\**City of Lima v. Ward* (1966), 8 Ohio App.2d 177, 220 N.E.2d 843  
Overruled on other grounds, 10 Ohio St.2d 137, 226 N.E.2d 737

\**City of Solon v. Crapser*, 1977 WL 201183 (Ohio App. 8 Dist.)

\**City of Toledo v. Cousino*, 1984 WL 14423 (Ohio App. 6 Dist.)

*Consolidated Edison Company of New York Inc v. Pataki* (2002), 292 F.3d 338, 346-348

*Deerfield Tp. Trustees v. Buckeye Fireworks*, (1988) Portage County App. No. 1711

*Desenco Inc. vs. Akron*, (1999), 84 Ohio St.3d 535, 541-543

*Epply v. Tri-Valley Local School Distr. Bd. Of Ed.* (2009), 122 Ohio St.3d 56, 59, 908  
N.E.2d 401, 404-405

*Hughes v. Ohio Bur. of Motor Vehicles* (1997), 79 Ohio St.3d 305

*Muniz v. Hoffman* (1975), 422 U.S. 454, 475, 95 S.Ct. 2178-477, 2190-2191, 45 L.Ed.2d  
319

\**State ex. rel. Cordray v. Midway Motor Sales Inc.* (2009), 122 Ohio St.3d 234, 910  
N.E.2d 432

\**State ex. rel. Shisler v. Ohio Public Employees Retirement System* (2009) 122 Ohio  
St.3d 148, 909 N.E.2d 610

\**State v. Foley*, 1982 WL 9260 (Ohio App. 1 Dist.)

\**State v. Gundlach* (1960) 112 Ohio App. 471, 174 N.E.2d 267

*State v. Lowe* (2007), 112 Ohio St.3d 507, 509-510, 861 N.E.2d 512, 515-516

\**State v. Ross* (1973), 36 Ohio App.2d 185, 304 N.E.2d 396

\**State v. Slatter* (1981), 66 Ohio St.2d 452, 423 N.E.2d 100

\**State v. Weber* (1997), 125 Ohio App.3d 120, 707 N.E.2d 1178

\**State v. Witt* (1964), 3 Ohio App.2d 278, 210 N.E.2d 279

Constitutions

Article II, Section 26 of the Ohio Constitution

Statutes and Rules

\*Crim.R. 3

\*O.R.C. §1.41

\*O.R.C. §1.47

\*O.R.C. §2938.12

\*O.R.C. §2941.35

