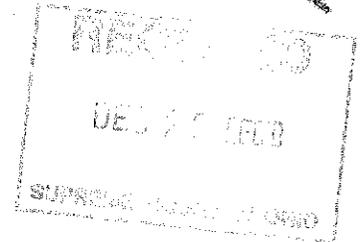


L. Scot Duncan, Esq.
1530 Willow Drive, Sandusky, OH 44870
scotduncan@alum.mit.edu
ph. 419-627-2945 cell 419-239-5019

ORIGINAL



December 28, 2009

Hon. Thomas J. Moyer
Chief Justice
The Supreme Court of Ohio
65 South Front St
Columbus, OH 43215-3431

RE: Case No. 09-1806 - State ex rel. Merrill v. Ohio Dept. of Natural Resources

Dear Chief Justice Moyer:

Thank you for your letter of December 23, 2009 advising me of your wife's ownership of a condominium in a community on the west side of Catawba Island and providing me with an opportunity to request your recusal.

I do not have any concern regarding the need for you to recuse yourself from participating further in the case. I am sure that you can remain fair and impartial in this case and see no need for your recusal.

Respectfully submitted,

L. Scot Duncan

cc: All counsel

