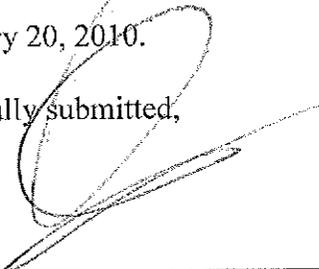


Appellant, Nationwide Mutual Insurance Company, hereby gives notice to the Supreme Court of Ohio that the Stark County Court of Appeals, Fifth Appellate District, entered its Judgment Entry on January 21, 2010 in Court of Appeals Case No. 2009 CA 00108 overruling Appellant, Nationwide Mutual Insurance Company's, Motion to Certify Conflict.

In accordance with S.Ct.Prac.R. III, this Honorable Court will now consider the jurisdictional memoranda filed in this matter on January 20, 2010.

Respectfully submitted,



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CERTIFICATE OF SERVICE

A copy of the foregoing has been sent postage prepaid via regular U.S. Mail to the following on this 3rd day of February, 2010:

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