

ORIGINAL

IN THE SUPREME COURT OF OHIO

THE STATE OF OHIO, EX REL.)
 AMERICAN GREETINGS)
 CORPORATION, ET AL.,)
)
 Relators,)
)
 vs.)
)
 JUDGE NANCY A. FUERST, ET AL.,)
)
 Respondents.)

Case No. 2010-0582
 Original Action in Prohibition
 and Mandamus

**RESPONDENTS' MOTION FOR AN EXTENSION OF TIME TO
 MOVE OR PLEAD IN RESPONSE TO THE COMPLAINT**

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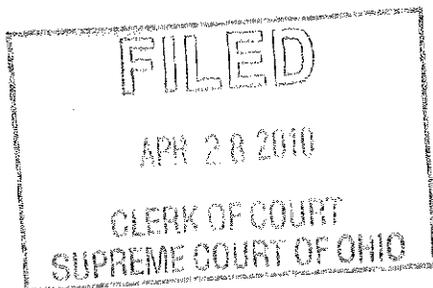
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Pursuant to S.Ct.Prac.R. 14.3(B)(2)(b) and S.Ct.Prac.R. 14.1(C)(1)(a), Respondents Judge Nancy A. Fuerst and Judge Peter J. Corrigan ("Respondents") respectfully move this Court for a ten (10) day extension of time, up to and including May 10, 2010, within which to move or plead in response to the Complaint pursuant to S.Ct.Prac.R. 10.5. The grounds in support of this motion are as follows.

The Respondents were served with the summons and complaint on April 7, 2010. Pursuant to S.Ct.Prac.R. 10.5, the Respondents' answer and/or dispositive motion would be due twenty-one (21) days later on April 28, 2010.

Due to the press of other professional obligations, however, the undersigned counsel respectfully requests an extension of time to complete preparation of the Respondents' answer and/or dispositive motion. Those other professional obligations include but are not limited to the following:

- Filing in the United States Court of Appeals for the Sixth Circuit on April 19, 2010 the Brief of Appellee Cuyahoga County Board of Commissioners in the matter of *Robert Grundstein vs. Eighth District Court of Appeals, et al.*, Case No. 10-3109; and

- Filing in the Eighth District Court of Appeals on April 26, 2010 the Respondents' Motion to Clarify April 14, 2010 Order and/or to Request a Guidelines Hearing in the matter of *State of Ohio ex rel. Dreamer vs. Mason*, Cuyahoga County Court of Appeals Case No. 09 CA 93949; and
- Filing in the Eighth District Court of Appeals on April 27, 2010 the Respondent's Motion for Summary Judgment and Motion to Dissolve Alternative Writs, with Brief in Support in the matter of *State of Ohio ex rel. Fifth Third Mortgage Co. v. Russo*, Cuyahoga County Court of Appeals Case Nos. 10 CA 94816, 10 CA 94817, and 10 CA 94818.

Due to these and other professional obligations, the undersigned counsel requires additional time in order to complete preparation of the Respondents' answer and/or dispositive motion for filing in this case.

S.Ct.Prac.R. 14.3(B)(2)(b) states the following in relevant part: "The Supreme Court will grant a party only one extension of time, not to exceed 10 days, provided the request for extension of time states good cause for an extension and is filed with the Clerk within the time prescribed by the rules for filing the brief or other document that is the subject of the request.

***"

Respondents respectfully submit that this motion is timely and states good cause for the requested extension.

If this motion is granted, the Respondents' answer and/or dispositive motion would be due on May 10, 2010 pursuant to S.Ct.Prac.R. 14.3(B)(2)(b) and S.Ct.Prac.R. 14.3(A)(1).

This is the only request for an extension of time sought by the Respondents in this case.

On April 27, 2010, counsel for the Individual Relators authorized the undersigned to represent that Relators' counsel would not oppose this request for a ten (10) day extension of time.

Accordingly, Respondents respectfully request that they be granted a ten (10) day extension of time, up to and including May 10, 2010, within which to file their answer and/or dispositive motion in this case.

Respectfully submitted,

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By: 

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CERTIFICATE OF SERVICE

Pursuant to S.Ct.Prac.R. 14.2(B)(1) and 14.2(C)(1), a true copy of the foregoing Respondents' Motion for an Extension of Time to Move or Plead in Response to the Complaint was served this 28TH day of April 2010 by facsimile upon the following:

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