

**In The
Supreme Court of Ohio**

[State ex rel.])	Case No. 2010-1400
JAMES E. LUNDEEN, SR., M.D.)	
)	
Appellant,)	On Appeal from the Franklin
)	County Court of Appeals
vs.)	Tenth Appellate District
)	Court of Appeals
)	CASE NO. 08AP-601
MARSHA P. RYAN, ADMINISTRATOR)	
BUREAU OF WORKERS')	
COMPENSATION)	
)	
Appellees.)	
)	

**APPELLANT-RELATOR'S MOTION TO STRIKE THE APPELEE-RESPONDENT'S
"MOTION TO STRIKE THE APPEAL AND DISMISS THE CAUSE" PURSUANT TO THE
OHIO SUPREME COURT'S RULE OF PRACTICE 14.2(D) AND MEMORANDUM IN
SUPPORT**

Now comes James E. Lundeen, Sr., M.D., appellant-relator, *pro se* and moves this Court to strike the Appellee-Respondent's "Motion to Strike the Appeal and Dismiss the Cause" for just and good cause, for reasons as follows:

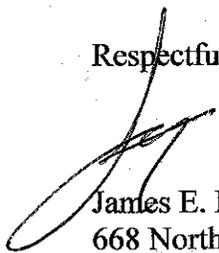
1) The Ohio Supreme Court's Rule of Practice 14.2(A)(1) requires that a party filing a document shall also serve a copy of the document on all parties to the case. The undersigned did not receive service of the Appellee-Respondent's "Motion to Strike the Appeal and Dismiss the Cause" and only learned of said motion through the undersigned's own research, after having noted that the Clerk of Court of the

Franklin County Court of Appeals had not certified and forwarded the record in the above captioned case to The Supreme Court of Ohio as had been ordered by The Supreme Court of Ohio.

2) By not having received service of the aforesaid motion, the undersigned was adversely affected as the undersigned could not respond to said motion, being unaware of said motion's existence. S.Ct. Prac. R. 14.2(D) provides that when a party fails to provide service upon another party any party adversely affected may file a motion to strike the document that was not served; thus the undersigned is justified in filing this instant motion and is doing so in accordance with S.Ct. Prac. R. 14.2(D).

3) The undersigned states for the record, that while *pro se*, the undersigned makes every good faith effort to research and understand both the law and related procedures, to act in accordance with same, and takes such matters seriously.

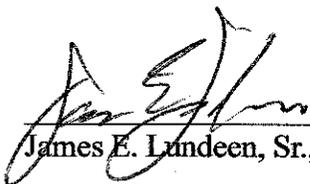
Respectfully submitted,



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A copy of the foregoing document, APPELLANT-RELATOR'S MOTION TO STRIKE THE APPELLEE-RESPONDENT'S "MOTION TO STRIKE THE APPEAL AND DISMISS THE CAUSE" PURSUANT TO THE OHIO SUPREME COURT'S RULE OF PRACTICE 14.2(D), has been sent to the party shown below via U.S. mail postage prepaid.

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James E. Lundeen, Sr., M.D. *Pro Se* Appellant