

**IN THE SUPREME COURT OF OHIO**

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**CASE NO. 10-0296**

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**JACOB MOSS, A MINOR; KIM MOSS  
Plaintiff-Appellees,**

**-vs-**

**LORAIN COUNTY BOARD OF MENTAL RETARDATION AND  
DEVELOPMENTAL DISABILITIES; AMANDA HAMILTON;  
CONNIE J. BROWN; KIMBERLY MUSCHITZ; RENEE M. OPPENHEINER;  
DEBBIE McLILLY  
Defendant-Appellants.**

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**ON APPEAL FROM THE NINTH APPELLATE DISTRICT  
CASE NO. 09CA009550**

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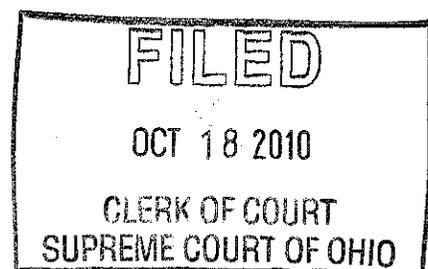
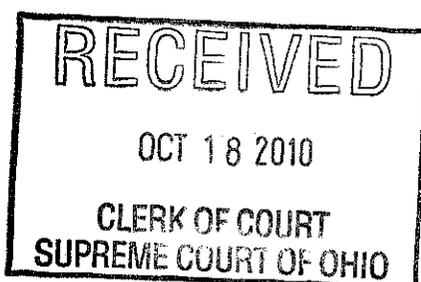
**MEMORANDUM OPPOSING RECONSIDERATION OF  
PLAINTIFF-APPELLEES, JACOB MOSS, A MINOR AND KIM MOSS**

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## MEMORANDUM

Plaintiffs, Jacob and Kim Moss, herby oppose the Motion for Reconsideration which was filed by Defendant-Appellants, Lorain County Board of Mental Retardation, Lorain County Board of Mental Retardation and Developmental Disabilities, Connie J. Brown, Kimberly Muschitz, and Renee M. Oppenheimer, on October 8, 2010. The Motion simply repeats arguments which were previously raised in the unsuccessful Memorandum in Support of Jurisdiction of February 16, 2010. There is absolutely no reason to believe that Defendants are correct that "this Honorable Court did not consider, or did not fully consider, whether the Memorandum in Support of Jurisdiction raises issues of both public interest and great general [sic] with respect to the 'physical defects' language set forth under R.C. 2744.02(B)(4) \*\*\*." *Defendant-Appellants' Motion, p. 4*. The correct and predictable result had been reached by the Ninth Judicial District Court of Appeals and there is no need to delay this action any further.

**CONCLUSION**

For the foregoing reasons, this Court should deny the Motion for Reconsideration of October 8, 2010.

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **Memorandum** has been sent by regular U.S. Mail, on this 15<sup>th</sup> day of October, 2010 to:

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