

ORIGINAL

IN THE SUPREME COURT OF OHIO

Ohio Valley Associated Builders and Contractors,	:	Supreme Court Case No.
	:	
	:	10-2001
Plaintiff-Appellee,	:	
	:	
v.	:	On Appeal from the
	:	Lucas County Court of Appeals,
Industrial Power Systems, Inc.,	:	Sixth Appellate District,
	:	Court of Appeals No. L-10-1099
Defendant-Appellant.	:	

NOTICE OF APPEAL OF APPELLANT
INDUSTRIAL POWER SYSTEMS

Now comes Defendant-Appellant Industrial Power Systems, Inc. ("IPS"), and hereby gives notice of appeal to the Supreme Court of Ohio from the judgment of the Lucas County Court of Appeals, Sixth Appellate District, entered in Court of Appeals Case No. L-10-1099 on October 8, 2010.

This is a discretionary appeal involving matters of public and great general interest. Filed concurrently is a memorandum in support of jurisdiction.

Respectfully submitted,

Luther L. Liggett, Jr. (0004683) (Counsel of record)

Matthew T. Anderson (0082730)
LUPER NEIDENTHAL & LOGAN
50 West Broad Street, Suite 1200
Columbus, Ohio 43215-3374

FILED
NOV 17 2010
CLERK OF COURT
SUPREME COURT OF OHIO

(614) 229-4423

lliggett@lnlattorneys.com

(614) 229-4473

manderson@lnlattorneys.com

Fax: (866) 345-4948

Attorneys for Defendant-Appellant IPS

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Notice of Appeal has been served upon the following counsel of record by depositing it in ordinary United States mail, postage prepaid, this 17th day of November, 2010:

Jill A. May, Bradley C. Smith
Brock A. Schoenlein
Flanagan, Lieberman, Hoffman & Swaim
15 W. Fourth St., Suite 100
Dayton, Ohio 45402

Attorneys for Plaintiff-Appellee OVABC



Matthew T. Anderson (0082730)