

ORIGINAL

IN THE SUPREME COURT OF OHIO

GRINNELL MUTUAL REINSURANCE
COMPANY

Defendant/Appellant

v.

WESTFIELD INSURANCE COMPANY

Plaintiff/Appellee

and

TERRELL WHICKER, a minor, and
VINCE AND TARA WHICKER, *et al.*

Defendants/Appellees

and

MICHAEL AND MARILYN HUNTER

Defendants/Appellees

Supreme Court Case Nos.
09-2214 & 10-0024 (consolidated)

ON APPEAL FROM THE BUTLER
COUNTY COURT OF APPEALS,
TWELFTH APPELLATE DISTRICT

COURT OF APPEALS CASE NOS.
CA 2009 05 0314 &
CA 2009-06-157

**NOTICE OF WAIVER OF ORAL ARGUMENT
OF COUNSEL FOR APPELLEES TERRELL WHICKER,
A MINOR, AND VINCE AND TARA WHICKER**

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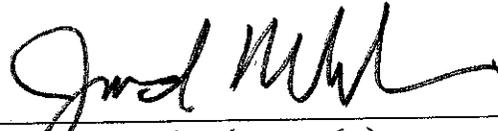
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FILED
DEC 08 2010
CLERK OF COURT
SUPREME COURT OF OHIO

Appellees Terrell, Vince, and Tara Whicker ("the Whickers"), through counsel, hereby notify the Court they waive oral argument pursuant to S.Ct. Prac. R. 9.3.

The Whickers' interests are aligned with those of Appellant Grinnell Mutual Reinsurance Company. Accordingly, the Whickers submit that any oral argument they would make will be duplicative, and therefore the Whickers' counsel do not intend to participate in the oral argument the Court has scheduled for January 19, 2011. The Whickers shall instead rely on the arguments contained in their brief and those presented at oral argument by counsel for Appellant Grinnell Mutual Reinsurance Company.

Respectfully submitted,



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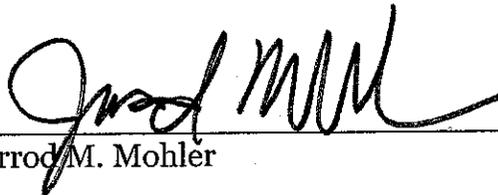
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served upon the following this 3rd day of December, 2010 by regular U.S. mail, postage prepaid:

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