

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**

Defendant/Appellees

and

MICHAEL AND MARILYN HUNTER

Defendants/Appellees

**Supreme Court Case Nos.
2009-2214 & 2010-0 24 (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**

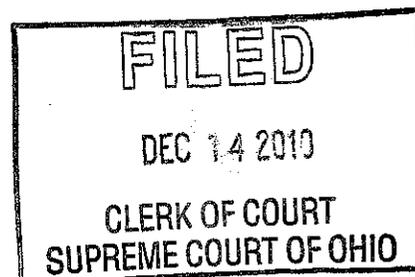
**NOTICE OF WAIVER OF ORAL
ARGUMENT OF COUNSEL FOR
APPELLEES MICHAEL HUNTER
AND MARILYN HUNTER**

James J. Englert (0051217)
Lynne M. Longtin (0071136)
RENDIGS, FRY, KIELY & DENNIS, LLP
One West Fourth Street, Suite 900
Cincinnati, Ohio 45202-3688
Attorneys for Appellant Grinnell

Daniel J. Temming (0030364)
Jarrod M. Mohler (0072519)
ROBBINS, KELLY, PATTERSON & TUCKER
7 West Seventh Street, Suite 1400
Cincinnati, Ohio 45202-2417
Attorney for Defendants/Appellees
Terrell, Vince and Tara Whicker

James H. Ledman (0023356)
J. Stephen Teetor (0023355)
ISAAC, BRANT, LEDMAN & TEETOR LLP
250 E. Broad Street, Suite 900
Columbus, Ohio 45215-3742
Attorneys for Appellee Westfield

Steven A. Tooman (0066988)
MILLIKIN & FITTON LAW FIRM
A Legal Professional Association
6900 Tylersville Road, Suite B
Mason, Ohio 45040
Attorney for Appellees Hunter



Appellees, Michael Hunter and Marilyn Hunter (“the Hunters”), through counsel, hereby notify the Court they waive oral argument pursuant to S.Ct. R. IX, Section 3.

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

Respectfully submitted,

MILLIKIN & FITTON LAW FIRM
A Legal Professional Association

By: 

Steven A. Tooman (0066988)
6900 Tylersville Road, Suite B
Mason, Ohio 45040
(513) 336-6363/(513) 336-9411
Attorney for Defendants/Appellees,
Michael Hunter and Marilyn Hunter

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Notice of Waiver of Oral Argument of Counsel for Appellees Michael and Marilyn Hunter was served via regular United States mail, this 13th day of December, 2010, upon the following:

James H. Ledman, Esq.
J. Stephen Teetor, Esq.
ISAAC, Brant, Ledman & Teetor LLP
250 East Broad Street, Suite 900
Columbus, Ohio 43215

James J. Englert, Esq.
Lynne M. Longtin, Esq.
RENDIGS, FRY, KIELY & DENNIS, LLP
One West Fourth Street, Suite 900
Cincinnati, Ohio 45202

Daniel J. Temming, Esq.
Jarrod M. Mohler, Esq.
ROBBINS, KELLY, PATTERSON & TUCKER
7 West Seventh Street, Suite 1400
Cincinnati, Ohio 45202


Steven A. Tooman (0066988)