

ORIGINAL

IN THE SUPREME COURT OF OHIO

Original action in mandamus; case no. 2010-2029

STATE ex rel. DATA TRACE INFORMATION SERVICES, LLC, et al.,

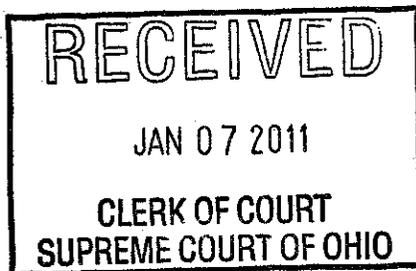
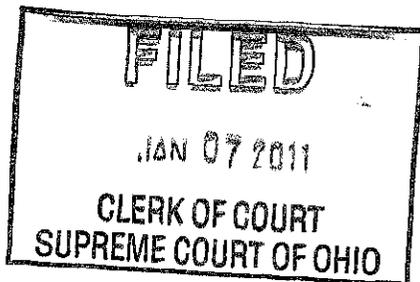
Relators,

-v-

RECORDER OF CUYAHOGA COUNTY, OHIO,

Respondent.

Notice to depose Shawn Roche



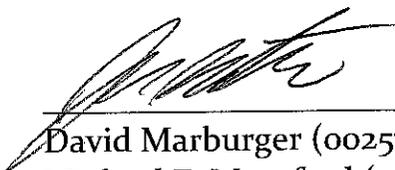
David Marburger (0025747)
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Attorneys for Relators

Relators hereby give notice that they will depose Shawn Roche, employee of the Cuyahoga County Recorder, at the offices of Baker & Hostetler LLP, Suite 3200, PNC Center, 1900 East 9th St., Cleveland, Ohio 44114, on Friday, January 14, 2011, beginning at 3:30 p.m., or at such other date and time upon which the relators, the respondent, and the witness can agree. The deposition will proceed by cross-examination and continue from day-to-day until completed.

The ground for this notice as reasonable is at least as follows:

- State ex rel. Citizens for Open Responsive & Accountable Gov't v. Register, 116 Ohio St.3d 88, 91-93, 2007-Ohio-5542, 876 N.E.2d 913, 917-919, ¶s 12-14, 20-22 (four days notice where two of those days were Saturday and Sunday).
- Ayad v. Gereby, 2010 WL 1254359 at *7, 2010-Ohio-1415, ¶s 57-60 (trial court allowing three days notice did not abuse discretion).



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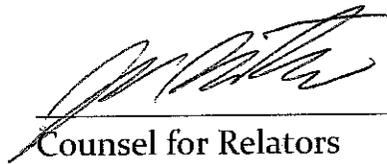
Attorneys for Relators

Certificate of Service

The foregoing Notice to Depose Sean Roche was hand delivered on this 6th
day of January, 2011 to:

David T. Movius, Esq.
McDonald Hopkins
600 Superior Avenue, East
Suite 2100
Cleveland, OH 44114

Counsel to Respondent



Counsel for Relators