

The Supreme Court of Ohio

FILED

JAN 21 2011

CLERK OF COURT
SUPREME COURT OF OHIO

To wit: January 21, 2011

Case No. 2011-0109

SUMMONS

The following have been named as respondents in the enclosed action:

Mahoning County Court #4 in Austintown, Ohio, and
Honorable Judge David A. D'Apolito
6000 Mahoning Avenue
Austintown, Ohio 44515

You are hereby notified that a complaint for a writ of prohibition has been filed against you in the SUPREME COURT OF OHIO, 65 South Front Street, Columbus, Ohio 43215-3431, by Michelle Benner, et al., by and through their attorney, James Vitullo, 5232 Nashua Drive, Suite 5, Austintown, Ohio 44515-5122.

Furthermore, you are hereby served with a copy of the complaint (enclosed) and are required to file an answer to the complaint or a motion to dismiss on or before the 21st day after service of this summons. See S.Ct. Prac. R. 10.5.

If you fail to respond timely to the complaint, this action will proceed before the Court.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the Supreme Court, this 21st day of January, 2011.

KRISTINA D. FROST CLERK

Justin Kudelski DEPUTY