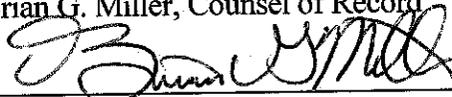


APPELLANT'S MOTION TO EXCEED PAGE LIMITATION FOR REPLY BRIEF

Pursuant to S.Ct. Prac. R. 14.4, Appellant moves the Court for leave to file her reply brief in excess of the 20-page limitation set forth in S.Ct. Prac. 6.4.

Appellant's reply brief will not exceed 25 pages. The reason that Appellant needs to exceed the page limitation of the Court is due to the voluminous nature of the issues raised by Appellees in their brief. This reason is set forth more fully in the accompanying memorandum in support.

Respectfully submitted,
Brian G. Miller, Counsel of Record



Brian G. Miller
Counsel for Appellant Lea D. Smith

MEMORANDUM IN SUPPORT

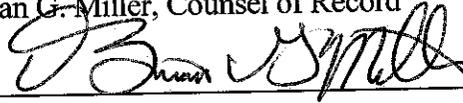
Pursuant to S.Ct. Prac. R. 14.4, Appellant moves the Court for leave to file her reply brief in excess of the 20-page limitation set forth in S.Ct. Prac. 6.4.

The circumstances which necessitate exceeding the page limitation are that Appellees' brief raises issues of law that need significant rebuttal explanation, which cannot reasonably be accomplished within the parameters of this Court's 20-page limitation for the reply brief. Appellant requires these additional pages in order to accurately set forth the factual record in this case and to fully respond to the legal arguments made by Appellees. Appellant's reply brief will not exceed 25 pages.

Appellees have represented that they have no opposition to this request.

Based on the foregoing, Appellant respectfully requests that this Court grant her motion.

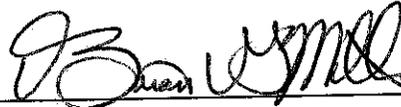
Respectfully submitted,
Brian G. Miller, Counsel of Record



Brian G. Miller
Counsel for Appellant Lea D. Smith

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was served upon Joshua R. Schierloh and Boyd W. Gentry, trial attorneys for Appellees, 1 Prestige Place, Suite 700, Miamisburg, Ohio 45342, by ordinary U.S. mail, postage prepaid, this 24th day of January, 2011.



Brian G. Miller
Counsel for Appellant Lea D. Smith

cc: Lea D. Smith
Christina L. Corl, Esquire