

IN THE SUPREME COURT OF OHIO

STATE EX. REL., NORTHERN OHIO	:	Case No.: 2010 - 0943
CHAPTER OF ASSOCIATED	:	
BUILDERS & CONTRACTORS, INC.,	:	On Appeal from the Summit County Court of
<i>et. al.</i>	:	Appeals, Ninth Appellate District
	:	Case No. CA-24898
Plaintiffs/Appellants,	:	
	:	
v.	:	Summit County Court of Common Pleas
	:	Case No. 2009-04-2636
THE BARBERTON CITY SCHOOLS	:	
BOARD OF EDUCATION, <i>et al.</i>	:	
	:	
Defendants/Appellees.	:	

**MOTION TO CONTINUE THE ORAL ARGUMENT
SCHEDULED FOR MARCH 23, 2011**

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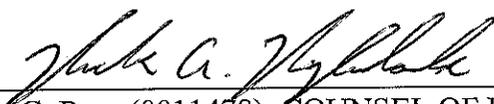
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MOTION TO CONTINUE THE ORAL ARGUMENT

NOW COME Appellants The Northern Ohio Chapter of Associated Builders & Contractors, Inc., Dan Villers, Jason Antill, and Fechko Excavating, Inc. and respectfully request the Court to continue the Oral Argument in this matter currently scheduled for March 23, 2011. Counsel for Appellants must appear before the Administrative Law Judges for the United States Department of Labor Employment Standards Administration for a trial in Case No.: 2010-DBA-00004 Tri-County Electric Service, Inc., dba Tri-County Electrical Services, Subcontractor Respondent and Rick Loconti, Respondent. This Trial hearing was set by Notice dated October 19, 2010 and trial is to begin March 22, 2011 and last at least four (4) days.

Counsel for Appellants are available at any date suitable for the Ohio Supreme Court other than the conflict dates of March 22, 2011 through March 25, 2011 and respectfully request a new date be scheduled in April 2011.

Respectfully submitted,


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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Motion to Continue was served via ordinary U.S. mail, postage prepaid, upon the following:

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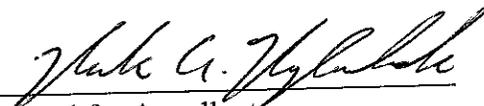
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this 7th day of February 2011.


Counsel for Appellants