

ORIGINAL

IN THE SUPREME COURT OF OHIO

**STATE OF OHIO ex rel.
OHIO ATTORNEY GENERAL,**

Plaintiff - Appellee

v.

THE SHELLY HOLDING CO., et al.,

Defendants-Appellants.

CASE NO. 11-0252

**On Appeal from the
Court of Appeals of Ohio
Tenth Appellate District**

**Court of Appeals
Case No. 09AP-938**

**NOTICE OF APPEAL OF DEFENDANTS-APPELLANTS,
SHELLY MATERIALS, INC. AND ALLIED CORPORATION**

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SUPREME COURT OF OHIO

**NOTICE OF APPEAL OF DEFENDANTS-APPELLANTS,
SHELLY MATERIALS, INC. AND ALLIED CORPORATION**

Defendants-Appellants Shelly Materials, Inc. and Allied Corporation hereby give notice to the Supreme Court of Ohio from the judgment of the Franklin County Court of Appeals, Tenth Appellate District, entered in Court of Appeals Case No. 09AP-938 on December 30, 2010.

This case raises a substantial constitutional issue and is one of public or great general interest.

Respectfully submitted,



April R. Bott, Counsel of Record

COUNSEL FOR DEFENDANTS-APPELLANTS,
SHELLY MATERIALS, INC. AND ALLIED
CORPORATION

CERTIFICATE OF SERVICE

I certify that a copy of this Notice of Appeal was sent ordinary U.S. mail this 11th day of February, 2011, upon counsel for Plaintiff-Appellee, Gary Pasheilich and Gregg Bachmann, State of Ohio ex rel. Ohio Attorney General, Environmental Enforcement Section, 30 E. Broad Street, 25th Floor, Columbus, Ohio 43215.



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