

MEMORANDUM

In the interest of fairness and due process, the undersigned respectfully requests an order striking Relator's motion to strike attachments from the Answer brief in this matter and vacating the Order granting Relator's motion or in the alternative the undersigned requests that a new deadline be imposed for filing a Response to Relator's motion. This relief is requested for the reason a copy of Relator's motion was not received by the undersigned.

Under the Rules of the Ohio Supreme Court:

(1) When a party or amicus curiae fails to provide service upon a party or parties to the case in accordance with S.Ct. Prac. R. 14.2(A), any party adversely affected may file a motion to strike the document that was not served. Within ten days after a motion to strike is filed, the party or amicus curiae against whom the motion is filed may file a memorandum opposing the motion.

(2) If the Supreme Court determines that service was not made as required by this rule, it may strike the document or, if the interest of justice warrant, order that the document be served and impose a new deadline for filing any responsive document. If the Supreme Court determines that service was made as required by this rule or that service was not made but the movant was not adversely affected, it may deny the motion.

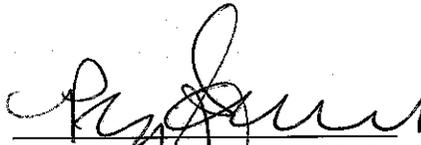
In this case, Relator has represented in his certificate of service that a copy of the motion to strike was served by regular mail on February 14, 2011. An electronic copy was not sent. I did not receive a copy of the motion to strike and have checked with relevant members of my firm's staff to determine whether any mail addressed to me has not been delivered. It is my representation to this Court that a copy of the motion to strike was not received by me, regardless of whether it was mailed by Relator or a member of his staff.

Under the Court's Rules:

(B) If a party files a motion with the Supreme Court, any other party may file a memorandum opposing the motion within ten days from the date the motion is filed, unless otherwise provided in these rules. A reply to a memorandum opposing a motion shall not be filed by the moving party. The Clerk shall refuse to file a reply to a memorandum opposing a motion, and motions to waive this rule are prohibited and shall not be filed.

It is respectfully requested that the undersigned receive ten days from today, March 3, 2011, or until March 13, 2011 to file a Response to Relator's motion to strike. Granting this request will enable me to rebut the arguments raised by Relator in support of his motion and will not require a change to the scheduled April 5, 2011 oral argument. In the interest of fairness, it is respectfully requested that the undersigned be accorded until March 13, 2011 to file a Response and that the Court's Order issued February 28, 2011, be vacated pending the filing of a Response.

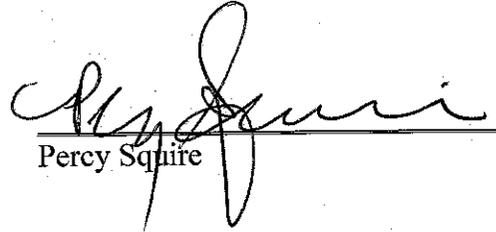
Respectfully submitted,



Percy Squire, Esq. (0022010)
Percy Squire Co., LLC
514 S. High Street
Columbus, Ohio 43215
614-224-6528 Telephone
614-224-6529 Facsimile
psquire@sp-lawfirm.com

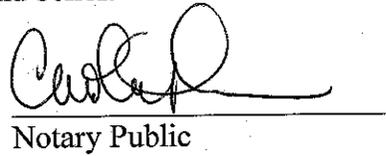
VERIFICATION

I, Percy Squire, do attest under penalty of perjury that the representations within this motion are true to the best of my knowledge, information and belief.


Percy Squire

NOTARY PUBLIC

Percy Squire appeared before me March 3, 2011, and did affirm that the forgoing statements are true to his knowledge, information and belief.


Notary Public

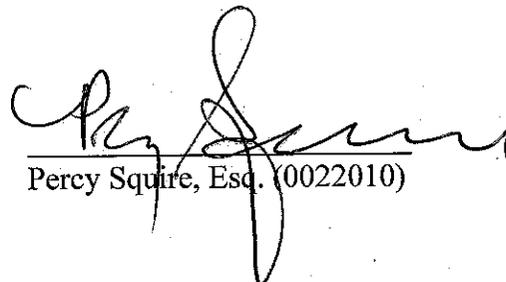


CAROLYN PIERRE-LOUIS
Notary Public, State of Ohio
My Commission Expires 01-23-2012

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the forgoing was served via email and U.S. Postal Service. March 3, 2011, upon the following:

Jonathan E. Coughlan, Esq. (0026424)
Disciplinary Counsel
Supreme Court of Ohio
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215-7411
614-461-0256 (T)
Jonathan.Coughlan@sc.ohio.gov


Percy Squire, Esq. (0022010)