

ORIGINAL

IN THE SUPREME COURT OF OHIO

Original action in mandamus; case no. 2010-2029

STATE ex rel. DATA TRACE INFORMATION SERVICES, LLC, et al.,

Relators,

-v-

RECORDER OF CUYAHOGA COUNTY, OHIO,

Respondent.

**Fourth amended notice of relators to depose the respondent
under Rule 30(B)(5)**

David Marburger (0025747)
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Attorneys for Relators

RECEIVED
APR 15 2011
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SUPREME COURT OF OHIO

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SUPREME COURT OF OHIO

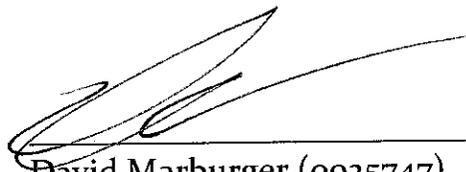
Fourth amended notice to depose the respondent under Rule 30(B)(5)

Under this fourth amended notice governed by Civil Rule 30(B)(5), relators will take the deposition duces tecum of respondent Recorder of Cuyahoga County, whose successor in office is the Fiscal Officer of Cuyahoga County. The respondent must choose one or more of its employees, agents, officers, or other persons to testify on its behalf as to matters known or available to the respondent about the following:

1. The providing of digital copies of the list of information derived from recorded instruments that respondent regularly has provided to Michael Schramm and to others, and the rationale for determining how much money (if any) to charge as a fee to Mr. Schramm and to others.
2. The rationale for determining the amount of the fee for “downloaded computer files to a compact disc” as \$1.00 per disc, as stated in Exhibit 4 to Lillian Greene’s deposition.

The deposition will occur at the offices of Baker & Hostetler LLP, Suite 3200, 1900 E. 9th St., Cleveland, Ohio 44114. The deposition will be recorded stenographically, and will be used for all purposes permitted under the Ohio Rules of Civil Procedure, the Supreme Court Rules of Practice, and the Ohio Rules of Evidence. The deposition will proceed by cross-examination.

The deposition will begin at 2:30 p.m. on Thursday, April 21, 2011, and continue from day-to-day until completed.



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Certificate of Service

The foregoing fourth amended notice of deposition duces tecum to respondent was sent via e-mail transmission on this 14th day of April, 2011 to:

David T. Movius, Esq.
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Counsel to Respondent



Counsel for Relators