

ORIGINAL

In the
Supreme Court of Ohio

DAVID GOODMAN, DIRECTOR,
OHIO DEPARTMENT OF COMMERCE,

Plaintiff-Appellant,

v.

KIMBERLY MAYHEW, ESQ.,
ADMINISTRATOR FOR THE ESTATE
OF ROY DILLABAUGH,

ALICE JANE DILLABAUGH,

LORNE DILLABAUGH,

and

JOHANNA LONG,

Defendants-Appellees.

Case No. 2010-2159

On Appeal from the
Montgomery County
Court of Appeals,
Second Appellate District

Court of Appeals
Case Nos. CA 23834, 23835, 23842

**STIPULATED EXTENSION OF TIME TO FILE MERIT BRIEF OF
PLAINTIFF-APPELLANT DAVID GOODMAN, DIRECTOR,
OHIO DEPARTMENT OF COMMERCE**

RALPH W. KOHNEN (0034418)

ERIC COMBS (0067201)

Taft Stettinius & Hollister LLP

425 Walnut Street, Suite 1800

Cincinnati, Ohio 45202-3957

kohnen@tafilaw.com

Counsel for Alice Jane Dillabaugh

JEFFREY SHARKEY (0067892)

LINDSEY M. POTRAFKE (0082879)

Faruki, Ireland & Cox

500 Courthouse Plaza

10 N. Ludlow Street

Dayton, Ohio 45402

jsharkey@ficlaw.com

Counsel for Hartford Life & Accident Insurance
Company

MICHAEL DEWINE (0009181)

Ohio Attorney General

ALEXANDRA T. SCHIMMER* (0075732)

Solicitor General

**Counsel of Record*

STEPHEN P. CARNEY (0063460)

Deputy Solicitor

CHERYL R. HAWKINSON (0055429)

DENNIS P. SMITH, JR. (0082556)

Assistant Attorneys General

30 East Broad Street, 17th Floor

Columbus, Ohio 43215

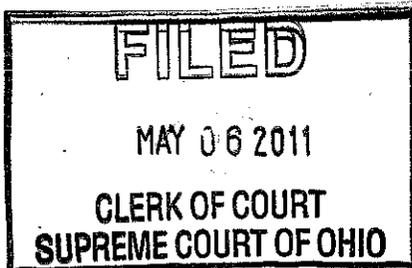
614-466-8980

614-466-5087 fax

alexandra.schimmer@ohioattorneygeneral.gov

Counsel for Plaintiff-Appellant

David Goodman, Director, Ohio Department
of Commerce



W. RANDALL ROCK (0023231)
2579 Ashcraft Road
Dayton, Ohio 45414
wrocklaw@aol.com

Counsel for Johanna Long

KIMBERLY MAYHEW
Nolan, Sprowl & Smith
500 Performance Place
109 North Main Street
Dayton, Ohio 45402
kimmayhew@gmail.com

Administrator for Estate of Roy G. Dillabaugh

ROBERT E. DINTAMAN (0069555)
Robert E. Dintaman, Esq., LLC
1370 Ontario Street
Suite 330
Cleveland, Ohio 44113

Counsel for Lorne Dillabaugh

STIPULATED EXTENSION OF TIME TO FILE MERIT BRIEF OF
PLAINTIFF-APPELLANT DAVID GOODMAN, DIRECTOR,
OHIO DEPARTMENT OF COMMERCE

The parties hereby stipulate that Plaintiff-Appellant David Goodman, Director, Ohio Department of Commerce,¹ may extend the time for filing its merit brief. The deadline will be extended by 20 days under Supreme Court Practice Rule 14.3(B)(2)(a). This extension will move the due date from Wednesday, May 11, 2011, to **Tuesday, May 31, 2011**. Appellant has not previously obtained an extension in this case.

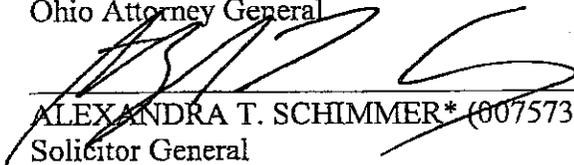
Respectfully submitted,

MICHAEL DEWINE
Ohio Attorney General

s/Eric Combs per authority

RALPH W. KOHNEN (0034418)
ERIC COMBS (0067201)
Taft Stettinius & Hollister LLP
425 Walnut Street, Suite 1800
Cincinnati, Ohio 45202-3957
kohnen@taftlaw.com

Counsel for Defendant-Appellee,
Alice Jane Dillabaugh


ALEXANDRA T. SCHIMMER* (0075732)
Solicitor General

*Counsel of Record
STEPHEN P. CARNEY (0063460)
Deputy Solicitor
CHERYL R. HAWKINSON (0055429)
DENNIS P. SMITH, JR. (0082556)
Assistant Attorneys General
30 East Broad Street, 17th Floor
Columbus, Ohio 43215
614-466-8980
614-466-5087 fax
alexandra.schimmer@ohioattorneygeneral.gov

Counsel for Plaintiff-Appellant
David Goodman, Director, Ohio
Department of Commerce

¹ Ohio's current Director of Commerce, and thus Plaintiff-Appellant here, is David Goodman. On January 10, 2011, he replaced Director Kimberly A. Zurz, who was the named Plaintiff-Appellant when this appeal was filed.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Stipulated Extension of Time to File Merit Brief of Plaintiff-Appellant David Goodman, Director, Ohio Department of Commerce was served by U.S. mail this 6th day of May, 2011 upon the following counsel:

Ralph W. Kohnen
Eric Combs
Taft Stettinius & Hollister LLP
425 Walnut Street, Suite 1800
Cincinnati, Ohio 45202-3957

Counsel for Alice Jane Dillabaugh

W. Randall Rock
2579 Ashcraft Road
Dayton, Ohio 45414

Counsel for Johanna Long

Robert E. Dintaman
Robert E. Dintaman, Esq., LLC
1370 Ontario Street
Suite 330
Cleveland, Ohio 44113

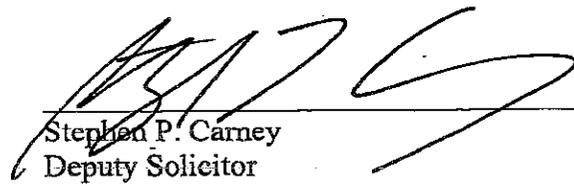
Counsel for Lorne Dillabaugh

Jeffrey Sharkey
Lindsey M. Potrafke
Faruki, Ireland & Cox
500 Courthouse Plaza
10 N. Ludlow Street
Dayton, Ohio 45402

Counsel for Hartford Life & Accident Insurance Company

Kimberly Mayhew
Nolan, Sprowl & Smith
500 Performance Place
109 North Main Street
Dayton, Ohio 45402

Administrator for Estate of Roy G. Dillabaugh


Stephen P. Carney
Deputy Solicitor