

IN THE SUPREME COURT OF OHIO

Mary Taylor, Superintendent of the
Ohio Department of Insurance, in her
capacity as Liquidator of the American
Chambers Life Insurance Company,

Plaintiff-Appellee,

v.

Ernst & Young LLP,

Defendant-Appellant.

Case No. 2010-1324

On Appeal from the
Franklin County Court of
Appeals, Tenth Appellate District

EMERGENCY MOTION FOR CONTINUANCE OF ORAL ARGUMENT DATE

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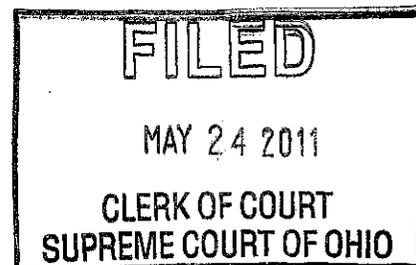
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Due to exigent circumstances that have arisen over the past 24 hours, Appellant Ernst & Young LLP (“Appellant”) respectfully moves this Court for a continuance of the scheduled oral argument date. This motion is being filed as an alternative to Appellant’s Motion for Leave to File Emergency Motion for Expedited *Pro Hac Vice* Admission, filed concurrently herewith.

The two Ohio attorneys of record for Appellant, John Gall and Aneca Lasley, have both had emergency circumstances arise that will preclude them from being able to participate in oral argument on May 25. Mr. Gall was called away early May 23 to deal with a personal, out-of-state emergency, and Ms. Lasley had oral surgery performed on May 23. Mr. Gall’s return to Ohio is unclear at this point in time, but he will be unable to appear on the currently scheduled date. Although Ms. Lasley will be physically able to appear, her surgery makes it difficult to argue on the currently scheduled date. Appellant’s out-of-state counsel, Stanley Parzen, has not yet been admitted *pro hac vice* but has complied with the requirements of Rule XII of the Rules for the Government of the Bar. Specifically, Mr. Parzen has paid the required \$100 application fee, completed the required online application, and submitted the required applicant affidavit, and has also prepared the required admissions affidavit pursuant to Gov. Bar R. XII (A)(6). Having met the requirements for admission, Mr. Parzen stands ready to appear on behalf of Appellant, and Appellant has moved the Court grants for the extraordinary relief of expedited *pro hac vice* admission. Alternatively, Appellant respectfully requests that the Court continue the currently-scheduled oral argument to allow Mr. Gall or Ms. Lasley to appear at oral argument.

A proposed order is attached hereto as Exhibit A.

May 24, 2011

Respectfully submitted,

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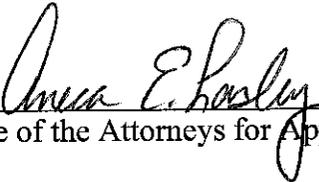
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Emergency Motion for Continuance of Oral Argument Date has been served upon the following by electronic mail and U.S. Mail, postage prepaid, this 24th day of May, 2011:

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EXHIBIT A

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ORDER CONTINUING ORAL ARGUMENT DATE

Upon due consideration of Appellant's Emergency Motion for Expedited *Pro Hac Vice* Admission or, in the Alternative, for Continuance of Oral Argument Date, the oral argument date in this matter, previously scheduled for May 25, 2011, is continued. Oral argument shall be heard in the above-styled case on _____ at _____.

IT IS SO ORDERED.
