

IN THE SUPREME COURT OF OHIO

THE AMERICAN CHEMICAL SOCIETY,

Appellant,

vs.

LEADSCOPE, INC., et al.,

Appellees.

:
: **Case No. 2010-1335**
:
: **ON APPEAL FROM THE FRANKLIN**
: **COUNTY COURT OF APPEALS,**
: **TENTH APPELLATE DISTRICT**
:
: **Court of Appeals**
: **Case No. 08AP-1026**
:

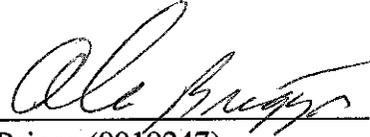
**APPELLEES' LIST OF ADDITIONAL AUTHORITIES THAT MAY BE
RELIED UPON DURING ORAL ARGUMENT**

Pursuant to Supreme Court Practice Rule 9.8 Appellees list the following additional authorities that may be relied on during oral argument:

1. *Baldau v. Jonkers* (March 10, 2011), 2011 W.Va. LEXIS 13, *13-22
2. "The Noerr-Pennington Doctrine," ABA Section on Antitrust Law, Monograph 25, Chapter 7, 107-109 (2009)
3. *Scooter Store, Inc. v. SpinLife.com, LLC* (S.D. Ohio March 28, 2011), 2011 U.S. Dist. LEXIS 32654, *22-26, 35-38
4. *Dardinger v. Anthem Blue Cross & Blue Shield*, 98 Ohio St. 3d 77, 2002-Ohio-7113, ¶¶ 120-50
5. Robert L. Tucker, "Vexatious Litigation as Unfair Competition, and the Applicability of the Noerr-Pennington Doctrine," 22 Ohio N.U.L. Rev. 119 (1995)
6. *Aetna U.S. Healthcare, Inc. v. Hoechst Aktiengesellschaft, et al.* (D.C. Kan. 1999), 54 F.Supp. 2d 1042, 1052-53
7. *Gallagher v. Cleveland Browns Football Co.* (1996), 74 Ohio St. 3d 427
8. *Borough of Duryea v. Guarnieri* (June 20, 2011), 131 S. Ct. 2488, *36-52

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Respectfully submitted,



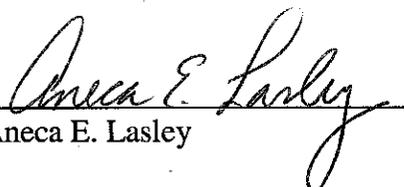
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COUNSEL FOR APPELLEES

CERTIFICATE OF SERVICE

I certify that a copy of this Appellees' List of Additional Authorities That May Be Relied on During Oral Argument was sent by personal service to counsel for Appellant, Michael G. Long, Vorys, Sater, Seymour and Pease LLP, 52 E. Gay Street, Columbus, Ohio 43216-1088 this 30th day of August, 2011.


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