

In the Supreme Court of Ohio

11-1536

BEAVER EXCAVATING COMPANY,
et al.,

Plaintiffs-Appellants,

v.

RICHARD A. LEVIN,
TAX COMMISSIONER OF OHIO,

Defendant-Appellee.

Case No. _____

On Appeal from the
Court of Appeals,
Tenth Appellate District

Court of Appeals Case
No. 10-AP-581

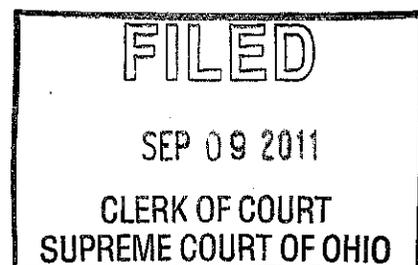
**NOTICE OF APPEAL OF PLAINTIFFS-APPELLANTS
BEAVER EXCAVATING COMPANY, ET AL.**

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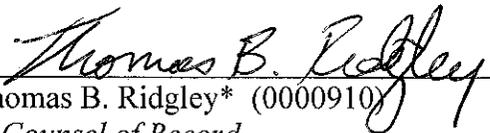


**NOTICE OF APPEAL OF PLAINTIFFS-APPELLANTS
BEAVER EXCAVATING COMPANY, ET AL.**

Plaintiffs-Appellants hereby give notice of their discretionary appeal to this Court, pursuant to Ohio Supreme Court Rule 2.1(A)(3), from a decision of the Court of Appeals of Franklin County, Tenth Appellate District, journalized in *Beaver Excavating Company, et al. v. Levin*, Court of Appeals Case No. 10-AP-581, 2011-Ohio-3649, on July 26, 2011. Date-stamped copies of the Tenth District's Entry and Decision are attached as Exhibits A and B, respectively, to the Memorandum in Support of Jurisdiction.

For the reasons set forth in the accompanying Memorandum in Support of Jurisdiction, this case raises a substantial constitutional question and is one of public and great general interest.

Respectfully submitted,


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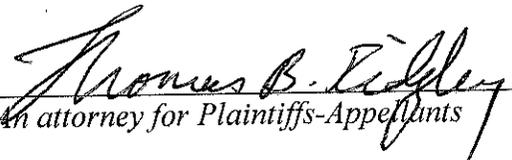
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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing *Notice of Appeal* was served by U.S. mail this 9th day of September, 2011, on the following:

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