



bknapic@oldhamkramer.com

Counsel for Appellee  
Crawford Machine, Inc.

## MOTION

Because of the unusual posture of the case, all parties jointly move to realign the parties to more accurately reflect their respective positions on the merits of the question accepted by the Court for review. Specifically, in this workers' compensation case, the employer Crawford Machine, Inc. ("Crawford Machine") was successful below on the question at issue. Nevertheless, Crawford Machine submitted a Notice of Certified Conflict, resulting in it being designated under Rule 4.1 as the "Appellant". The other two parties, the Ohio Bureau of Workers' Compensation and claimant Jeff Holmes are therefore currently designated as "Appellees" under the Rule.

However, now that the Court has accepted the Certified Conflict, the parties find themselves in an unusual posture with regard to briefing. The winning party below, Crawford Machine, is currently the "Appellant" and must file the first brief, while the losing party, claimant Jeff Holmes ("Holmes") must wait to go second and forego a reply brief, as he is now designated as "Appellee" under the Rule.

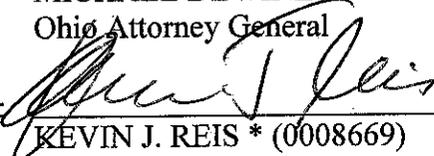
The parties therefore jointly move to realign as follows: Plaintiff-Appellee below, Jeff Holmes, would be designated the Appellant in this Court, and would therefore file his brief first under Rule 6.2; Defendant-Appellant below, Crawford Machine, would be designated as the Appellee in this Court and file its brief second, under Rule 6.3; and the Bureau would remain as an Appellee and also file under rule 6.3.

Respectfully submitted,

MICHAEL DEWINE  
Ohio Attorney General

/s/ Jennifer L. Lawther by K. Reis AAG, per e-mail authority 3-22-12

JENNIFER L. LAWThER (0066761)  
JERALD A. SCHNEIBERG (0062298)

  
\_\_\_\_\_  
KEVIN J. REIS \* (0008669)  
Assistant Attorney General  
*\*Counsel of Record*

NAGER, ROMAINE & SCHNEIBERG  
27730 Euclid Avenue  
Cleveland, Ohio 44132  
216-289-4740  
216-289-4743 fax  
jschneiberg@nrsinjurylaw.com  
jlawther@nrsinjurylaw.com  
cermisch@nrsinjurylaw.com  
  
Counsel for Appellant  
Jeff Holmes

Workers' Compensation Section  
150 East Gay Street, 22nd Floor  
Columbus, Ohio 43215-3130  
614-466-6730  
614-728-9535 fax  
kevinreis@ohioattorneygeneral.gov

Counsel for Appellee  
Administrator, Ohio Bureau of Workers'  
Compensation

/s/ Barbara A. Knapic by K. Reis AAG, per e-  
mail authority 3-22-12  
BARBARA A. KNAPIC (0033062)  
OLDHAM KRAMER  
195 South Main Street, Suite 300  
Akron, Ohio 44308

330-762-7377  
330-762-7390 fax  
bknapic@oldhamkramer.com

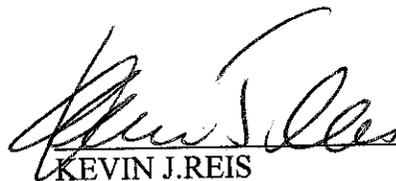
Counsel for Appellee  
Crawford Machine, Inc.

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Joint Motion to Realign Parties was served by U.S. mail this 23 day of March, 2011, upon the following counsel:

JENNIFER L. LAWThER  
JERALD A. SCHNEIBERG  
NAGER, ROMAINE & SCHNEIBERG  
27730 Euclid Avenue  
Cleveland, Ohio 44132

BARBARA A. KNAPIC  
OLDHAM KRAMER  
195 South Main Street, Suite 300  
Akron, Ohio 44308

  
\_\_\_\_\_  
KEVIN J. REIS  
Assistant Attorney General