

ORIGINAL

In the
Supreme Court of Ohio

OHIO TRUCKING ASSOCIATION, <i>et al.</i> ,	:	Case No. 2011-1757
	:	
Plaintiffs-Appellees,	:	
	:	On Appeal from the
v.	:	Franklin County
	:	Court of Appeals,
DIRECTOR THOMAS CHARLES	:	Tenth Appellate District
[THOMAS STICKRATH], OHIO	:	
DEPARTMENT OF PUBLIC SAFETY, <i>et al.</i> ,	:	Court of Appeals
	:	Case No. 10AP-673
Defendants-Appellants.	:	

**UNOPPOSED MOTION OF APPELLANTS DIRECTOR THOMAS CHARLES
[THOMAS STICKRATH], OHIO DEPARTMENT OF PUBLIC SAFETY, *et al.*,
TO SCHEDULE ORAL ARGUMENT ON THE SAME DATE AS
BEAVER EXCAVATING CO., et al. v. TESTA, CASE NO. 2011-1536**

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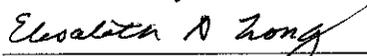
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**UNOPPOSED MOTION OF APPELLANTS DIRECTOR THOMAS CHARLES
[THOMAS STICKRATH], OHIO DEPARTMENT OF PUBLIC SAFETY, et al.,
TO SCHEDULE ORAL ARGUMENT ON THE SAME DATE AS
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Appellants respectfully move the Court to schedule oral argument in this case on the same day as oral argument in *Beaver Excavating Co., et al., v. Richard A. Levin [Joseph W. Testa]*, Case No. 2011-1536. Appellees have advised Appellants that they do not oppose this motion. Appellants expect the parties in *Beaver Excavating* to file a joint motion seeking such scheduling. Tandem scheduling would best serve the interests of the Court, the parties, and the public. These cases each concern matters of first impression relating to Article XII, § 5a of the Ohio Constitution. The cases are distinct in various ways, and should not be consolidated. But because the issues arise from the same constitutional provision tandem scheduling would facilitate the Court's and the parties' discussion. Further, the cases are already close in time in scheduling, so same-day argument would not delay either case or otherwise prejudice the parties in any way. The Court should therefore grant this Motion and schedule both arguments on the same day.

Respectfully submitted,

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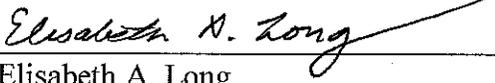
Director Thomas Charles, et al.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Unopposed Motion of Appellants Director Thomas Charles [Thomas Stickrath], Ohio Department of Public Safety, *et al.*, to Schedule Oral Argument on the Same Date as *Beaver Excavating Co., et al. v. Testa*, Case No. 2011-1536, was served by U.S. mail this 2nd day of April, 2012, upon the following counsel:

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