

ORIGINAL

IN THE SUPREME COURT OF OHIO

ROSHEL SMITH,

:

Supreme Court Case No. 2011-1708

Plaintiff-Appellee,

FILED:

Appeal from Summit County Court of Appeals, Ninth District

v.

JUL 02 2012:

CLERK OF COURT

DONALD E. LANDFAIR

SUPREME COURT OF OHIO

Court of Appeals

Case No. CA 25371

:

Defendant-Appellant.

MOTION OF DEFENDANT-APPELLANT DONALD E. LANDFAIR AND AMICUS CURIAE THE OHIO HORSEMAN'S COUNCIL FOR AMICUS TO PRESENT ORAL ARGUMENT

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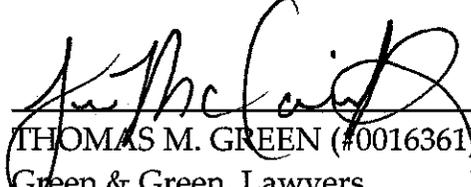
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SUPREME COURT OF OHIO

Appellant Donald E. Landfair ("Landfair") and *Amicus Curiae* Ohio Horseman's Council ("OHC") request that this Court allow counsel for OHC to present oral argument, sharing Landfair's allotted time as provided by Supreme Court Practice Rule 9.6(A). OHC filed an *Amicus* Brief in Support of Landfair on March 14, 2012. It also filed a Reply Brief in Support on May 25, 2012. Landfair consents to OHC's participation in oral argument. Oral argument in this case is scheduled for Tuesday, July 10, 2012.

Respectfully submitted,

 for 0088281
THOMAS M. GREEN (#0016361)

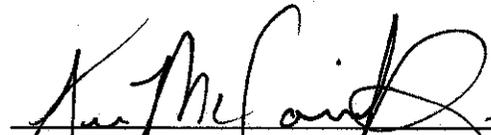
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Approved by Email Authority 06.29.12
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CERTIFICATE OF SERVICE

I certify that a copy of this Motion was sent by ordinary U.S. Mail, postage prepaid, to counsel for Appellant Kenneth A. Calderone, Esquire, Hanna Campbell & Powell, LLP, Post Office Box 5521, 3737 Embassy Parkway, Akron, Ohio 43434; to counsel for Appellee John K. Rinehardt, Esquire, The John K. Rinehardt Law Firm, 2404 Park Avenue West, Mansfield, Ohio 44906; and to counsel for *Amicus Curiae* Ohio Association for Justice's counsel, Paul Giorgianni, Esquire, Giorgianni Law, LLC, 1538 Arlington Avenue, Columbus, Ohio 43212, on this 29th day of June, 2012.

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