

IN THE SUPREME COURT OF OHIO

STATE OF OHIO EX REL.

Case No. 12-1128

WILLIAM D. MASON, CUYAHOGA
COUNTY PROSECUTOR,

Relator,

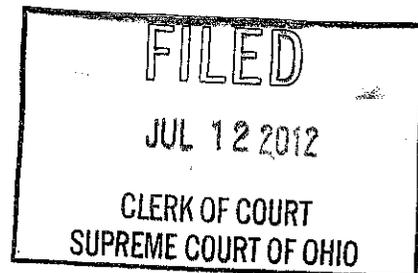
v.

Original Action in Prohibition

HONORABLE NANCY MARGARET
RUSSO, JUDGE, CUYAHOGA COUNTY
COURT OF COMMON PLEAS,

Respondent.

**RESPONDENT'S OPPOSITION TO OHIO ATTORNEY GENERAL'S MOTION TO
FILE AMICUS CURIAE MEMORANDUM IN SUPPORT OF RELATOR'S PETITION
FOR IMMEDIATE ALTERNATIVE WRIT**



WILLIAM D. MASON, CUYAHOGA
COUNTY PROSECUTING ATTORNEY
The Justice Center, Courts Tower
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Cleveland, Ohio 44113

Relator

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Nancy Margaret Russo*

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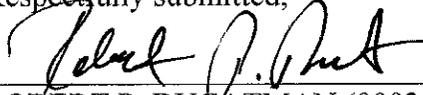
*Counsel for Amicus Curiae
Ohio Attorney General Mike DeWine*

On July 3, 2012, Relator William Mason (“Relator”) filed a Complaint in Prohibition and an Application for an Immediate Alternative Writ with this Court. The Application sought a stay of two cases pending before Respondent Nancy Margaret Russo in the Cuyahoga Court of Common Pleas: Case No. 12-CV-785188 captioned *AMA Ventures Inc., et al. v. Mason* and Case No. 12-CV-784234 captioned *J&C Marketing v. Mason*. On July 6, 2012, Ohio Attorney General Mike DeWine filed a Motion for Leave to File an Amicus Brief Curiae Memorandum in Support of Relator William Mason’s Application for Immediate Alternative Writ. On July 9, 2012, Relator filed a motion to stay the two cases at issue in the Cuyahoga County Court of Common Pleas. (See Exhibit A). On July 10, 2012, the Parties in the two cases at issue reached an agreement regarding a stay in the Court of Common Pleas and the stay was entered. (See Exhibit B).

In view of the stay entered by the Cuyahoga Court of Common Pleas, the Ohio Attorney General’s Motion should be denied.

Dated: July 12, 2012

Respectfully submitted,



ROBERT P. DUCATMAN (0003571)

(Counsel of Record)

JONES DAY

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Counsel for Respondent The Honorable
Nancy Margaret Russo

CERTIFICATE OF SERVICE

I hereby certify that on July 12, 2012, a copy of the foregoing was served on the following by First Class U.S. Mail, postage prepaid:

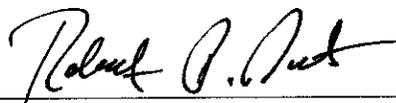
William D. Mason
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Relator

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Ohio Attorney General
Michael J. Schuler
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Columbus, Ohio 43215

Counsel for Amicus Curiae
Ohio Attorney General Mike DeWine



Attorney for Respondent

EXHIBIT A



74555740

**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

J&C MARKETING LLC
Plaintiff

WILLIAM D MASON
Defendant

Case No: CV-12-784234

Judge: NANCY MARGARET RUSSO

JOURNAL ENTRY

AT THE TELEPHONIC REQUEST OF THE PLAINTIFFS, SERVED THIS DAY WITH THE MOTION TO STAY FILED BY THE DEFENSE, THE COURT SETS A HEARING ON THE MOTION TO STAY FOR 7/10/12 AT NOON. ALL COUNSEL WHO WISH TO BE HEARD ON THE MOTION TO STAY TO BE PRESENT; CLIENTS NEED NOT APPEAR. ANY DISCOVERY DUE TO BE DELIVERED TO OPPOSING COUNSEL ON 7/9/12 IS HELD IN ABEYANCE UNTIL THE COURT ISSUES A RULING ON THE MOTION TO STAY.

Judge Signature

07/09/2012

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74555742

**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

AMA VENTURES INC. ETAL
Plaintiff

WILLIAM D. MASON ETAL
Defendant

Case No: CV-12-785188

Judge: NANCY MARGARET RUSSO

JOURNAL ENTRY

AT THE TELEPHONIC REQUEST OF THE PLAINTIFFS, SERVED THIS DAY WITH THE MOTION TO STAY FILED BY THE DEFENSE, THE COURT SETS A HEARING ON THE MOTION TO STAY FOR 7/10/12 AT NOON. ALL COUNSEL WHO WISH TO BE HEARD ON THE MOTION TO STAY TO BE PRESENT; CLIENTS NEED NOT APPEAR. ANY DISCOVERY DUE TO BE DELIVERED TO OPPOSING COUNSEL ON 7/9/12 IS HELD IN ABEYANCE UNTIL THE COURT ISSUES A RULING ON THE MOTION TO STAY.

Judge Signature

07/09/2012

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EXHIBIT B



74574642

**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

J&C MARKETING LLC
Plaintiff

WILLIAM D MASON
Defendant

Case No: CV-12-784234

Judge: NANCY MARGARET RUSSO

JOURNAL ENTRY

88 BANKRPT/C.O.A. STAY - FINAL

PER AGREEMENT OF PARTIES, THE MOTION TO STAY IS UNOPPOSED AND GRANTED. SEE PRIOR ORDERS.

Judge Signature

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74574644

**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

AMA VENTURES INC. ETAL
Plaintiff

WILLIAM D. MASON ETAL
Defendant

Case No: CV-12-785188

Judge: NANCY MARGARET RUSSO

JOURNAL ENTRY

88 BANKRPT/C.O.A. STAY - FINAL

PER AGREEMENT OF PARTIES, THE MOTION TO STAY IS UNOPPOSED AND GRANTED. SEE PRIOR ORDERS.

Judge Signature

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