



**MOTION FOR LEAVE TO FILE BRIEF AS *AMICUS CURIAE***

The Ohio Manufacturers' Association, as proposed *amicus curiae*, respectfully moves the Court for leave to file a brief in support of Relator JobsOhio and in opposition to Respondent's motion for judgment on the pleadings. The reasons in support of this motion are set forth in the memorandum below. The Ohio Manufacturers' Association is separately filing its proposed brief for the Court's consideration.

Respectfully submitted,



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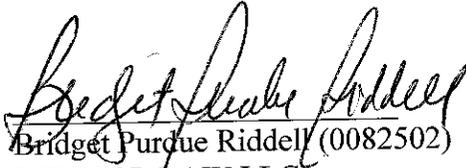
## MEMORANDUM IN SUPPORT

The Ohio Manufacturers' Association ("the OMA"), as proposed *amicus curiae*, seeks leave to file a brief at the motion stage of this mandamus action. The OMA is a nonprofit organization formed in 1910 with the mission to protect and grow Ohio manufacturing. Its members include approximately 1,600 manufacturing companies across the State of Ohio. The OMA submits that its memorandum will assist the Court in its determination of Respondent's motion for judgment on the pleadings and will explain the potentially vital role of Relator JobsOhio's innovative initiatives in capitalizing on a unique global window of opportunity to grow manufacturing in the State of Ohio.

Pursuant to S.Ct.Prac.R. 10.8 and 6.6, an *amicus curiae* may file a merit brief in an original action without leave of court. But this Court has on prior occasions granted *amici curiae* leave to file memoranda in an original action before a writ is granted. See, e.g., *State ex rel. Duke Energy Ohio, Inc. v. Hamilton County Court of Common Pleas*, 126 Ohio St.3d 41, at ¶¶ 11-12 (2010) (granting *amicus curiae*'s motion for leave to file a memorandum in support of respondents' motion to dismiss in an original action seeking writ of prohibition); *State ex rel. Vaughn Industries, LLC v. Reece*, 116 Ohio St.3d 1212, at ¶ 3 (granting motion of *amicus curiae* for leave to file memorandum opposing respondents' motion to dismiss in prohibition case).

Accordingly, the OMA, as proposed *amicus curiae*, respectfully moves for leave to file a brief in support of Relator JobsOhio and in opposition to Respondent's motion for judgment on the pleadings. The OMA is separately filing its proposed brief for the Court's consideration.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing *MOTION OF AMICUS CURIAE THE OHIO MANUFACTURERS' ASSOCIATION FOR LEAVE TO FILE BRIEF IN SUPPORT OF RELATOR JOB SOHIO* was sent via regular U.S. mail, postage prepaid this 29th day of August 2012, to the following:

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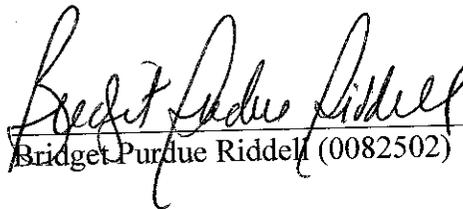
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