

**IN THE SUPREME COURT OF OHIO**

**STATE OF OHIO EX REL. JOBSOHIO,**

**Relator,**

**-vs-**

**DAVID GOODMAN, DIRECTOR,  
OHIO DEPARTMENT OF COMMERCE,**

**Respondent.**

**CASE NO. 12-1356**

**ORIGINAL ACTION  
IN MANDAMUS**

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**MOTION OF AMICUS CURIAE THE COLUMBUS PARTNERSHIP FOR LEAVE TO  
FILE BRIEF IN SUPPORT OF RELATOR JOBSOHIO**

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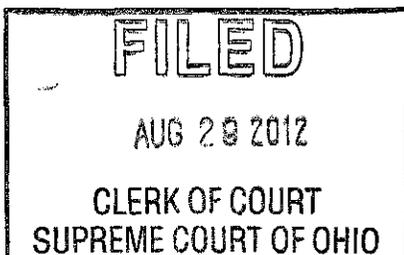
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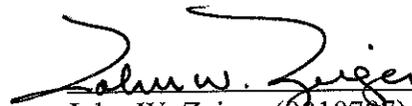
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**MOTION FOR LEAVE TO FILE BRIEF AS AMICUS CURIAE**

The Columbus Partnership, 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 Columbus Partnership is separately filing its proposed brief for the Court's consideration.

Respectfully submitted,



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**MEMORANDUM IN SUPPORT**

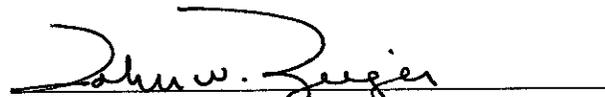
Under S.Ct.Prac.R. 10.8 and 6.6, an amicus curiae may file a merit brief in an original action without leave of court. But here, fundamental constitutional issues have been raised in Respondent's motion for judgment on the pleadings; therefore, filing of amici curiae memoranda, with leave, before an alternative writ is granted is necessary if they are to be useful to the Court. *See State ex rel. Duke Energy Ohio, Inc. v. Hamilton County Court of Common Pleas*, 126 Ohio St.3d 41, 2010-Ohio-2450, 930 N.E.2d 299, ¶¶ 11-12 (granting amicus curiae's motion for leave to file memorandum in support of respondents' motion to dismiss in original

action seeking writ of prohibition); *State ex rel. Vaughn Industries, LLC v. Reece*, 116 Ohio St.3d 1212, 2007-Ohio-6670, 878 N.E.2d 1050, ¶ 3 (granting motion of amicus curiae for leave to file memorandum opposing respondents' motion to dismiss in prohibition case).

As in these cases, the Columbus Partnership, as proposed amicus curiae, seeks leave to file a brief at the motion stage of this mandamus action. The Columbus Partnership is a nonprofit organization formed to improve the economic development of Central Ohio. Its members are Columbus' top business leaders. The Columbus Partnership submits that its memorandum will assist the Court in its determination of Respondent's motion for judgment on the pleadings and will underscore the importance of Relator JobsOhio's innovative role in creating jobs throughout Ohio and transforming the future of this State's economic development.

Accordingly, the Columbus Partnership, 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 Columbus Partnership 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 copy of the foregoing was served upon counsel of record identified below by regular U.S. Mail on this 29th day of August, 2012.

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