

ORIGINAL

IN THE SUPREME COURT OF OHIO

In Re: Judicial Campaign Complaint
Against Colleen Mary O'Toole

Case No. 2012-1653

On Appeal from the Decision of a Five Judge Commission
Empaneled Pursuant to Ohio R. Gov. Jud. II Section D(5)

RESPONDENT'S MOTION FOR ORAL ARGUMENT

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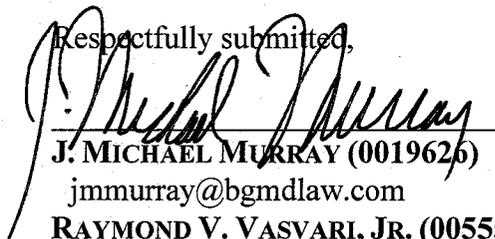
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Respondent Colleen M. O'Toole, by and through undersigned counsel and pursuant to OHIO S.CT. PRAC. R. 9.2, hereby respectfully moves the Court to set this case for oral argument.

At issue in this case is the constitutionality, under the First and Fourteenth Amendments, of Rule 4.3(A) of the Ohio Code of Judicial Conduct. Not only does this case present questions of constitutional moment, involving the restriction of political expression in the context of campaigns for elected judicial office, but it does so in light United States Supreme Court precedent that was decided only months ago, and which directly and significantly affects the regulatory power of the state with respect to expression.

The magnitude of the question at stake, the complexity of the constitutional questions presented, and the evolving nature of the jurisprudence at issue combine to make this a case in which the Court would benefit from the presentation of oral argument.

Respectfully submitted,


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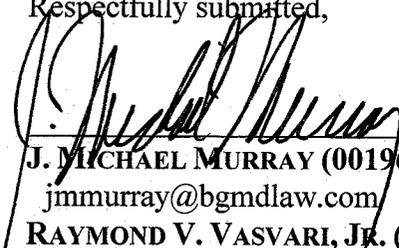
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Counsel for the Respondent

- Certificate of Service -

A true and accurate copy of the foregoing **RESPONDENT'S MOTION FOR ORAL ARGUMENT** was sent today, Via First Class United States Mail to the attorney for the Complainant, Mary L. Cibella, 614 West Superior Avenue Suite 1300, Cleveland, Ohio.

Respectfully submitted,



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