

IN THE SUPREME COURT OF OHIO

13-0291

ANITA HAUSER, : Supreme Court Case No. \_\_\_\_\_

Plaintiff-Appellee, : Appeal from Montgomery County Court  
of Appeals, Second District

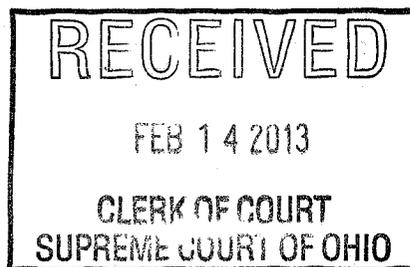
v. :

CITY OF DAYTON POLICE DEPT., : Court of Appeals  
et. al. : Case No. CA 24965

Defendant-Appellant. :

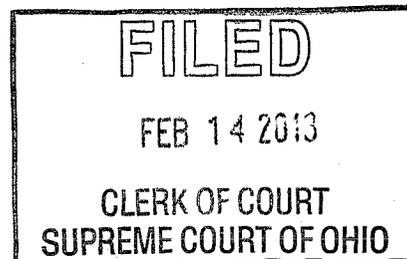
NOTICE THAT A MOTION TO CERTIFY A CONFLICT  
IS PENDING IN THE COURT OF APPEALS

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COUNSEL FOR APPELLANT E. MITCHELL DAVIS

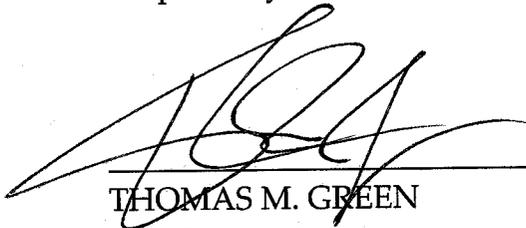
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COUNSEL FOR APPELLEE ANITA HAUSER

Pursuant to Sup. Ct. R. 4.4, Appellant Major E. Mitchell Davis hereby gives notice that a Motion to Certify a Conflict is Pending in the Montgomery County Court of Appeals, Second Appellate District, from its judgment in Court of Appeals Case No. CA 24965, entered on January 4, 2013. To date, the Court of Appeals has not ruled on the Motion necessitating the need for this Notice.

Respectfully submitted,

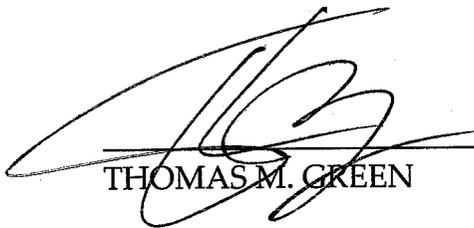


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**CERTIFICATE OF SERVICE**

I hereby certify that true copy of the foregoing has been served on Plaintiff/Appellee by forwarding copy of same to her attorney of record, John J. Scaccia, Esquire, SCACCIA & ASSOCIATES, LLC, 1814 East Third Street, Dayton, Ohio 45403 by ordinary U.S. Mail on this 13<sup>th</sup> day of February, 2013.



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THOMAS M. GREEN