

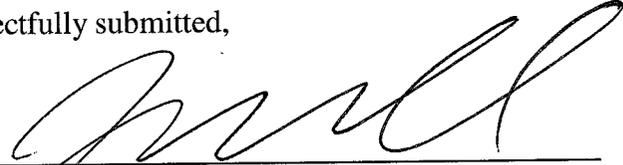
**RELATOR'S APPLICATION FOR DISMISSAL OF CASE
PURSUANT TO S.CT.PRAC.R. 4.05**

Now comes Relator, who respectfully moves this Court for Dismissal of this case for the reasons set forth below.

In Mr. Miller's Motion for Judgment on the Pleadings, he pointed out an error in the Complaint and Affidavits attached thereto regarding the parties to whom the public records requests had been addressed. Whether it was mixing up the July 19 litigation hold letter to Mr. Mohr (which was sent on the same date as the first public records request), or having looked at the documents over and over, and no longer *seeing* them, Relator's counsel and paralegal did, indeed, err in stating that the requests were addressed to Mohr and Cholar, when, in fact, they were addressed only to Dewine and Cholar. Relator's counsel sincerely apologizes for the error, and cannot, in the interest of justice and fair play, argue against this particular point raised in Mr. Miller's Motion to Dismiss.

For the foregoing reasons, Relator respectfully requests that Application to Withdraw the Complaint be granted, thereby granting to all Respondents the relief through dismissal that they seek.

Respectfully submitted,

By 

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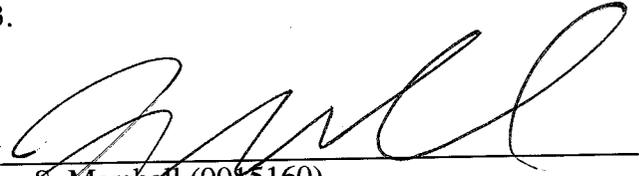
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CERTIFICATE OF SERVICE

This is to certify that the foregoing Application to Withdraw the Complaint has been served upon: Damian W. Sikora and Sarah Pierce, Assistant Attorneys General, Constitutional Offices Section, 30 East Broad Street, 16th Floor, Columbus, Ohio, 43215, Counsel for Respondents, R. Michael Dewine and Richard T. Cholar Jr.; and, Thomas C. Miller, Assistant Attorney General, Criminal Justice Section, 150 East Gay Street, 16th Floor, Columbus, Ohio, 43215, Counsel for Respondent, Gary C. Mohr, by depositing a true and exact copy thereof in the regular U.S. Mail, postage prepaid, on this 15th day of March, 2013.

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