

ORIGINAL

IN THE SUPREME COURT OF OHIO

CASE NO. 2012-1774

MICHAEL LINGO, et al.
Plaintiff-Appellants

-vs-

STATE OF OHIO, et al.
Defendant-Appellees.

**ON APPEAL FROM THE EIGHTH JUDICIAL DISTRICT
COURT OF APPEALS CASE NO. 97537**

**PLAINTIFF-APPELLANTS' MEMORANDUM IN OPPOSITION TO MOTION
FOR LEAVE TO PARTICIPATE IN ORAL ARGUMENT OF AMICUS CURIAE**

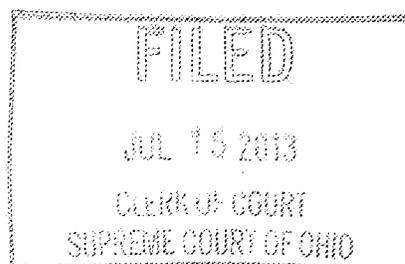
**PLAINTIFF-APPELLANTS' ALTERNATIVE MOTION FOR ADDITIONAL
TIME FOR ARGUMENT**

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MEMORANDUM

Plaintiff-Appellants, Michael Lingo, *et al.*, oppose the Motion for Leave to Participate in Oral Argument of *Amicus Curiae* dated July 5, 2013. These *amici* are squarely aligned with Defendant-Appellee, Raymond J. Wohl, Clerk of the Berea Municipal Court. As reflected in the Brief they have submitted, their arguments are purely cumulative.

As acknowledged in the *amicus* Motion, Defendant-Appellee has not agreed to share his oral argument time. Granting the Motion would therefore skew the proceedings by affording one side substantially more argument time than the other. In all likelihood, Plaintiff-Appellant's counsel would be unable to fully and appropriately respond to more than fifteen minutes of united defense arguments.

In the event that this Court is still inclined to grant the Motion, Plaintiff-Appellants should be afforded an equal amount of additional time to respond to the *amicus* arguments. Such an arrangement will ensure that Defendant-Appellee and his *amici* are precluded from securing an unfair advantage through additional argument time.

CONCLUSION

In order to maintain an even playing field, this Court should deny the Motion for Leave to Participate in Oral Argument of *Amicus Curiae* dated July 5, 2013. In the alternative, Plaintiff-Appellants should be afforded an equal amount of additional argument time in which to respond.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

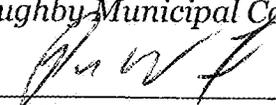
I hereby certify that a copy of the foregoing **Memorandum** has been sent by e-mail on this 15th day of July, 2013 to:

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