

ORIGINAL

IN THE SUPREME COURT OF OHIO

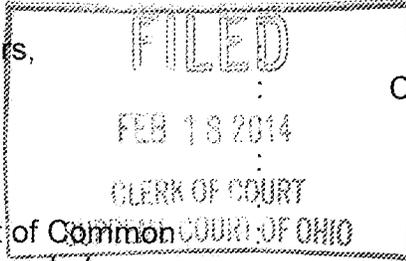
State of Ohio *ex rel.*  
Woodrow L. Fox, *et al.*,

Relators,

v.

Gary Walters  
Clerk of Court for the Court of Common Pleas,  
Licking County, Ohio, *et al.*,

Respondents.



Case No. 2013-0364

**RELATORS, WOODROW L. FOX, SR AND WOODY FOX BAIL BONDS, LLC'S,  
MOTION FOR VARIATION OF TIME FOR ORAL ARGUMENT**

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## MOTION FOR VARIATION OF TIME OF ORAL ARGUMENT

On May 22, 2013, at the request of Relators Woodrow L. Fox, Sr. and Woody Fox Bail Bonds, LLC, ("Relators Fox"), the Court consolidated *State ex rel. Sylvester v. Neal*, case number 2012-1742,<sup>1</sup> with Relators Fox's case, 2013-0364, and later set the matter for oral argument on February 26, 2014. Consistent with S. Ct. Prac. R. 17.05(A)(2), Relators' counsel agreed to equally divide the fifteen minutes allotted to the Relators, such that counsel for Relators Fox will take the first seven and one-half minutes, and counsel for Relator Sylvester argue the remaining half.

On February 12, 2014, specifically in the 2013 case, the Court granted leave to the State Solicitor to join in the oral argument as amicus curiae on behalf of Respondents Gary Walters, Clerk of Court for the Court of Common Pleas, Licking County, Ohio, Judge David Branstool, Judge Thomas Marcelain, and the Court of Common Pleas, Licking County, Ohio.

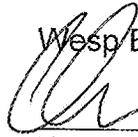
Pursuant to S. Ct. Prac. R. 17.05(B), Relators Fox respectfully request that the Court grant them an additional five minutes for their respective allotted time (for a total of twelve and one-half minutes for argument and rebuttal) to allow their counsel to adequately address the additional points the Solicitor may raise relative the 2013 filed case. Notably, the 2012 and the 2013 cases do involve common questions of law and are filed against clerks of court, but the 2013 case was also brought against two common pleas judges and a court of common pleas and presents additional questions of law. Additionally of note, the State Solicitor's amicus curiae merit brief only addresses the 2013 case and has only been responded to by Relators Fox.

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<sup>1</sup> None of the parties in the *Sylvester* case objected to the consolidation.

Respectfully submitted,

Wesp Barwell Carpenter LLC

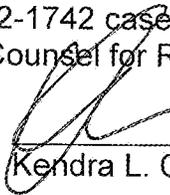


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**CERTIFICATE OF SERVICE**

I certify that on March 15, 2013, I sent RELATORS, WOODROW L. FOX, SR AND WOODY FOX BAIL BONDS, LLC'S, MOTION FOR VARIATION OF TIME FOR ORAL ARGUMENT to Amy Brown Thompson, attorney for Respondents and Kristopher J. Armstrong, counsel for Amicus Curiae, Ohio Attorney General. A copy was also sent via mail to the parties case number 2012-1742 case: Patrick Cusma, Counsel for Relator Sylvester and Nathan Shaker, Counsel for Respondent Neal.



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Kendra L. Carpenter (0074219)