

ORIGINAL

IN THE SUPREME COURT OF OHIO

Sam Jodka,

Case No. 14-0636

Plaintiff-Appellee

On appeal from the Cuyahoga County Court of Appeals, Eighth Appellate District

vs.

Court of Appeals Case No. CA-13-099951

City of Cleveland, Ohio, et al.

Defendants-Appellants

NOTICE OF APPEAL OF DEFENDANTS-APPELLANTS AFFILIATED COMPUTER SERVICES, INC., BOULDER ACQUISITION CORP., AND XEROX CORPORATION

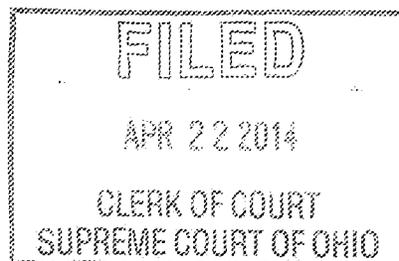
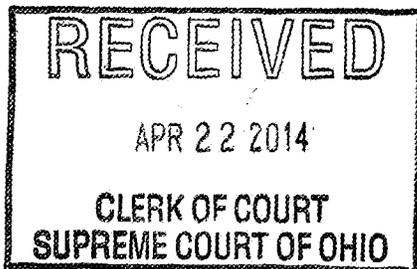
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Defendants-Appellants Affiliated Computer Services, Inc., Boulder Acquisition Corp., and Xerox Corporation hereby give notice of their appeal to the Ohio Supreme Court from the Judgment and Opinion of the Eighth District Court of Appeals released and journalized on January 23, 2014. Specifically, they appeal the portion of the opinion where the 8th District advised that Cleveland Codified Ordinance Section 413.031 violates Art. IV, Section 1 of the Ohio Constitution.

On January 31, 2014, Plaintiff-Appellee Sam Jodka filed a Combined Motion for Reconsideration and for En Banc Review with the Eighth District Court of Appeals. The Eighth District issued its judgment entry on March 13, 2014 denying the motion for reconsideration, which it modified by entry dated March 18, 2014. The Eighth District issued its entry on March 14, 2014 denying the application for en banc review.

On February 2, 2014 the Eighth District *sua sponte* certified that *Jodka* is in conflict with the Sixth District's Decision in *Walker*, Lucas Cty. No. L-12-1056, 2013-Ohio-2809 on two issues:

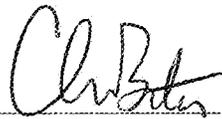
(1) Whether a person who has challenged the constitutionality of a city ordinance that establishes an automated civil traffic enforcement system on the basis that the ordinance deprives the municipal court of jurisdiction over violations of any ordinance, but who, himself, never availed himself of the quasi-judicial process created to contest his liability, has standing to present a claim of unjust enrichment against the city.

(2) Whether, when an appellate court has determined that a person's challenge to the constitutionality of a portion of a city's ordinance has merit, and has determined further that a city's quasi-judicial process established by an ordinance is unconstitutional, the appellate court's determinations are purely advisory, so as to permit the city to continue the quasi-judicial process established by the ordinance.

Jodka filed a Notice of Certified Conflict with this Court on March 28, 2014, Ohio Supreme Court Case No. 14-0480.

This case presents a substantial constitutional question and is a case of public and great general interest. Defendants-Appellants submit their Joint Memorandum in Support of Jurisdiction contemporaneously with this Notice of Appeal.

Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that he served a copy of the foregoing NOTICE OF APPEAL OF DEFENDANTS-APPELLANTS AFFILIATED COMPUTER SERVICES, INC., BOULDER ACQUISITION CORP., AND XEROX CORPORATION to the following via U.S. Mail, postage prepaid on April 21, 2014:

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