

IN THE SUPREME COURT OF OHIO

JEFFREY B. SATURDAY)	Case No: 2014-0292
)	
and)	
)	On Appeal from the
KAREN R. SATURDAY)	Ohio Board of Tax Appeals
)	
Plaintiff-Appellant,)	
)	Ohio Board of Tax Appeals
vs.)	Case No. 2011-4027
)	
CITY OF CLEVELAND BOARD)	
OF REVIEW,)	
)	
and)	
)	
NASSIM M. LYNCH)	
)	
Defendants-Appellees.)	

APPELLEES' MOTION TO EXCEED PAGE LIMIT OF MERIT BRIEF

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APPELLEES' MOTION TO EXCEED PAGE LIMIT OF MERIT BRIEF

Appellants' requested and received an extension of time to file their merit brief which was filed on June 26, 2014. Appellants' merit brief is fifty pages long.

Pursuant to S.Ct.Prac.R. 4.01(A), Appellees file this motion to exceed the page limit of their merit brief requesting ten additional pages for the reasons that follow.

In their merit brief, (i) Appellants raise new issues for the first time in briefing not assigned as error in any of their notices of appeal including their notice of appeal to this Court such as their new dormant commerce clause argument; (ii) Appellants apparently waive certain claims which require Appellees to address both the waiver issue as well as the merits of such claims and (iii) Appellants have also apparently filed their appeal in the wrong forum which Appellees must likewise address.

For the reasons herein, Appellees request that the page limit of their merit brief be extended by ten additional pages so that they can adequately present these matters to the Court.

Respectfully submitted,
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CERTIFICATE OF SERVICE

A copy of the foregoing Appellees' Motion To Exceed Page Limit Of Merit Brief was served by regular U.S. mail on Appellants' counsel, Stephen W. Kidder, Esq., Hemenway & Barnes LLP, 60 State Street, Boston, MA 02109-1899 and Richard C. Farrin, Esq., Zaino Hall & Farrin LLC, 41 South High Street – Suite 3600, Columbus, Ohio 43215 on this 30th day of June 2014.


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