

The Supreme Court of Ohio

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CHIEF JUSTICE
MAUREEN O'CONNOR

JUSTICES
PAUL E. PFEIFER
TERRENCE O'DONNELL
JUDITH ANN LANZINGER
SHARON L. KENNEDY
JUDITH L. FRENCH
WILLIAM M. O'NEILL

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July 3, 2014

Ronald K. Lembright
10724 Cardinal Lane
Breacksville, OH 44141

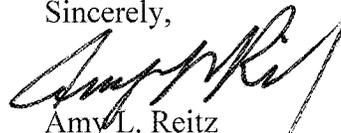
Re: Case No. 13-1730, Phillip Dodd, et al. v. John Croskey, et al.

Dear Mr. Lembright:

The above-named case is scheduled for oral argument on Wednesday, August 20, 2014. Pursuant to S.Ct. Prac. R. 17.03, a party who does not file a merit brief in compliance with S.Ct. Prac. R. 16.02 and 16.03, is deemed to have waived oral argument. Since a merit brief was not filed on behalf of the parties you are listed as representing (William L. Kalbaugh, et al.), you are not permitted to argue the case.

If you have any questions regarding this matter, please contact me at (614) 387-9540.

Sincerely,



Amy L. Reitz
Chief Deputy Clerk

cc: Paul Hervey
Rupert Beetham
Marquette D. Evans
R. Jeffrey Pollock
Brian Crist
Consolidated Coal Company