

ORIGINAL

IN THE SUPREME COURT OF OHIO

State ex rel.	:	Case No. 14-0831
Emilie DiFranco	:	
	:	
Relator,	:	Original Action in Mandamus
	:	
v.	:	
	:	
City of South Euclid, et al.	:	
	:	
Respondents	:	
	:	

**ANSWER TO COMPLAINT IN MANDAMUS BY RESPONDENTS
THE CITY OF SOUTH EUCLID AND LEE WILLIAMS**

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IN THE SUPREME COURT OF OHIO

State ex rel. Emilie DiFranco	:	Case No. 14-0831
	:	
Relator,	:	Answer to Mandamus of Respondents
	:	City of South Euclid and Lee Williams
v.	:	
	:	
City of South Euclid, et al.	:	
	:	
Respondents	:	
	:	

Now come the Respondents, the City of South Euclid and Lee Williams (“Respondents”), and for their answer to Relator’s Complaint in Mandamus, state as follows:

1. Respondents deny, for lack of knowledge, information, or otherwise, the allegations of paragraph 1 of the Complaint.
2. Respondents admit the allegations of paragraphs 2, 3, 4 and 5 of the Complaint, and aver that Exhibit A speaks for itself.
3. Respondents specifically deny the allegation set forth in paragraph 6 that the response was inadequate and illegal, and aver that Exhibits B and D speak for themselves.
5. Respondents admit the allegations set forth paragraphs 7, 8, and 9 of the Complaint, and aver that Exhibits B and C speak for themselves.
6. Respondents deny the allegations set forth in paragraph 10 of the Complaint and avers that the requests made of the Respondents are set forth in Exhibit B attached to the Complaint..
7. Respondents admit the allegations set forth paragraph 11 of the Complaint.
8. Respondents deny the allegations set forth paragraph 12 of the Complaint.
9. Respondents admit the allegations set forth paragraph 12 of the Complaint.

10. Respondents deny the allegations set forth in paragraphs 15, 16, 17, 18, 19, 20, 21, 22 and 23 of the Complaint.

11. Respondents aver that O.R.C. § 149.43 speaks for itself, as set forth in paragraphs 24, 25, 26, 27 and 28 of the Complaint.

12. Respondents deny the allegations set forth in paragraph 29 of the Complaint.

13. Respondents deny the allegations set forth in paragraphs 30, 31 and 32 of the Complaint.

14. Respondents deny the allegations set forth in paragraphs 33, 34, 35, 36 and 37 of the Complaint.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

15. The Complaint fails to state a claim against each of the Respondents upon which relief can be granted.

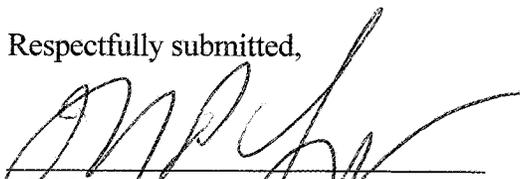
SECOND AFFIRMATIVE DEFENSE

16. At all times the Respondents have acted in good faith in responding to Relator's request for records. Accordingly, any award of statutory damages, attorneys' fees, and/or costs is unwarranted.

17. The Respondents reserves the right to supplement, revise, or amend this Answer and their its Affirmative Defenses.

WHEREFORE, having fully answered the Complaint, Respondents demand that the Complaint be dismissed with prejudice and judgment be entered in their favor with all costs, expenses, and attorneys' fees incurred herein assessed against Relator, and that the Court award Respondents any other relief which it deems just and equitable under the circumstances.

Respectfully submitted,



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*Attorneys for Respondents
the City of South Euclid and Lee Williams*

CERTIFICATE OF SERVICE

A copy of the foregoing *Answer to Complaint in Mandamus by Respondents City of South Euclid and Lee Williams* has been sent via email to Emilie DiFranco, Pro se Relator, 3867 W. 226th Street, Fairview park, Ohio 44126 at emdifranco@sbcglobal.net, on this 22nd day of July 2014.



One of the Attorneys for Respondents