

ORIGINAL

IN THE OHIO SUPREME COURT

STATE OF OHIO EX REL.
CLAUGUS FAMILY FARM, L.P.,

Relator,

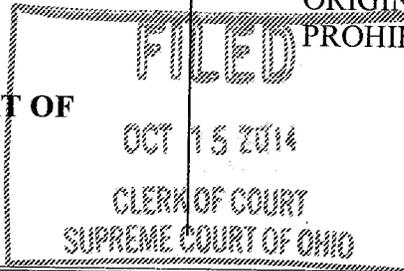
vs.

SEVENTH DISTRICT COURT OF
APPEALS, ET AL.,

Respondents.

CASE NO. 14-0423

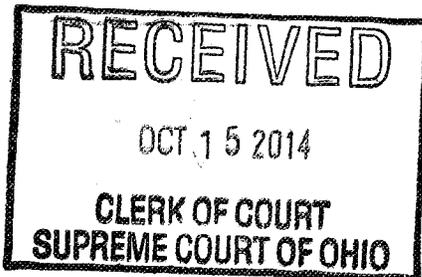
ORIGINAL ACTION IN
PROHIBITION AND MANDAMUS



INTERVENING RESPONDENT BECK ENERGY CORPORATION'S
MOTION FOR LEAVE TO FILE SUPPLEMENTAL EVIDENCE

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IN THE SUPREME COURT OF OHIO

**STATE EX REL,
CLAUGUS FAMILY FARM, L.P.,**

Relator,

vs.

**SEVENTH DISTRICT COURT OF
APPEALS, ET AL.,**

Respondents.

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ORIGINAL ACTION IN
PROHIBITION AND MANDAMUS

**INTERVENING RESPONDENT BECK ENERGY CORPORATION'S
MOTION FOR LEAVE TO FILE SUPPLEMENTAL EVIDENCE**

Intervening Respondent, Beck Energy Corporation (“Beck Energy”), files this motion requesting leave to file, as supplemental evidence, the recent decision from the Seventh District Court of Appeals in *Hupp, et al. v. Beck Energy Corp., et al.*, 7th Dist. Monroe Nos. 12 MO 6, 13 MO 2, 13 MO 3, 13 MO 11, 2014-Ohio-4255.

The Seventh District Court of Appeals issued this decision on September 26, 2014, three days after the Court ordered the evidence due following its grant of Relator, Claugus Family Farm, L.P.’s (“Relator”) alternative writ. The court of appeals’ recent decision is relevant because it serves as the underlying case for Relator’s claim of an alleged due process

violation. The decision will also assist the Court with understanding the disposition of the various issues raised on appeal and the current status of the class action. If granted leave to file the court of appeals' decision, the decision will be submitted as Exhibit 24 to the Affidavit of Scott M. Zurakowski.

Respectfully submitted,



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PROOF OF SERVICE

I hereby certify that copies of Intervening Respondent Beck Energy Corporation's Motion for Leave to File Supplemental Evidence were served by United States mail, pursuant to S.Ct.Prac.R. 3.11(B), this 14 day of October 2014 upon:

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