

IN THE SUPREME COURT OF OHIO

TIMOTHY METCALFE, <i>et al.</i> ,)	Case No.: 14-0738
)	
<i>Appellants,</i>)	On Appeal from the Franklin County
)	Court of Appeals, Tenth Appellate District
vs.)	
)	Court of Appeals Case Nos.
THE CITY OF AKRON, <i>et al.</i> ,)	13-AP-473, 13-AP-484, 13-AP-496
)	
<i>Appellees.</i>)	

**STIPULATED EXTENSION OF TIME FOR APPELLEES TO FILE MERITS BRIEFS
UNDER S. CT. PRAC. R. 3.03(B)(2)(a)**

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Appellees City of Akron, Ohio Police and Fire Pension Fund, and Medical Mutual of Ohio, and Appellants Timothy Metcalfe and William Biasella, pursuant to a stipulation of the parties, hereby respectfully give notice of an extension of time for Appellees to file their merits briefs by twenty days, as provided in S.Ct.Prac.R. 3.03(B)(2)(a). Rule 3.03(B)(2)(a) states that “parties may stipulate to extensions of time to file merit briefs” and that “[e]ach party may obtain in a case only one stipulated extension of time not to exceed twenty days.” Appellees have not received any prior extensions of filing deadlines. The parties previously stipulated to an extension of twenty days for Appellants to file their merits brief.

Appellants’ merits brief was filed November 17, 2014, pursuant to a separate stipulation agreed to by all of the parties. Under S.Ct.Prac.R. 16.03(A)(2), Appellees are given thirty days after the opening brief is filed to file their merits briefs in response. As such, Appellees’ merits briefs would typically be due December 17, 2014. With the agreed extension, Appellees’ merits brief are now due on **January 6, 2015**.

Respectfully submitted,

/s/ Larry D. Shenise per 10/1/14 email consent

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CERTIFICATE OF SERVICE

The original of the foregoing was electronically filed under the Ohio Supreme Court's e-filing pilot program and copies were served via electronic mail and regular U.S. Mail, postage pre-paid, this 18th day of November, 2014, upon the following:

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