

IN THE SUPREME COURT OF OHIO

EDIN AGIC,) Supreme Court Case No: 2014-1924
)
Plaintiff-Appellant) On Appeal from the Cuyahoga County
) Court of Appeals, Eighth Appellate District
v.)
) Court of Appeals Case No. CA-13-100679
NATIONAL UNION FIRE INSURANCE)
COMPANY OF PITTSBURGH, PA, et al.)
)
Defendants-Appellees)

**MEMORANDUM OF APPELLEE NATIONAL UNION FIRE INSURANCE COMPANY
OF PITTSBURGH, PA. IN RESPONSE TO MOTION FOR RECONSIDERATION OF
DECISION DECLINING JURISDICTIONAL APPEAL OF APPELLANT EDIN AGIC**

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Defendant-Appellee National Union Fire Insurance Company of Pittsburgh, Pa. (“National Union”) respectfully submits that the Motion of Plaintiff-Appellant Edin Agic (“Agic”) for Reconsideration should be denied.

The arguments that Agic sets forth in his Motion for Reconsideration are the very same arguments that he raised in his jurisdictional memorandum. (Mem. Supp. Jurisdiction, pp. 1-2, 7-8, 10). Indeed, Agic’s Motion is merely a reargument of the case, which is expressly prohibited by S.Ct.Prac.R. 18.02(B):

(B) Basis for filing

A motion for reconsideration shall not constitute a reargument of the case and may be filed only with respect to the following Supreme Court decisions:

- (1) Refusal to accept a jurisdictional appeal[.]

See Dublin City Schools Bd. of Education v. Franklin County Bd. of Revisions, 139 Ohio St.3d 212, 2014-Ohio-1940, 11 N.E.3d 222, ¶ 9 (“We will not, however, grant reconsideration when a movant seeks merely to reargue the case at hand.”).

As the Court’s April 29, 2015 Entry specifically states that it has considered the “jurisdictional memoranda filed in this case”, and “declines to accept jurisdiction of the appeal pursuant to S.Ct.Prac.R. 7.08(B)(4)”, it is clear that this Court has already considered and rejected Appellant’s arguments that this cases involves a question of great general or public interest. Thus, National Union respectfully submits that reconsideration is neither appropriate nor necessary, and therefore Agic’s Motion for Reconsideration should be denied.

Respectfully submitted,

/s/Crystal L. Maluchnik

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CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2015, a copy of the foregoing was forwarded by regular

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