THE SUPREME COURT OF OHIO

In re Application of	:	
	:	
	:	Case No. 2014-1555
Joseph V. Libretti, Jr.	:	

CMBA'S MOTION TO STRIKE APPLICANT'S "CITATION TO RELEVANT AUTHORITY"

CMBA respectfully moves this Court to strike the Applicant's so-called "Citation to Relevant Authority," which was filed on June 18, 2015.

This Court previously rejected the virtually identical submission[1] on February 6, 2015. In its Order, this Court denied Libretti's January 25, 2015 "motion to supplement the record with supplements to answers to the character questionnaire." *In re Application of Libretti*, No. 2014-1555 (Ohio Feb. 6, 2015).[2] Libretti is not entitled to re-litigate and defy this Court's order, particularly through the subterfuge of a "Citation to Relevant Authority."

Moreover, Libretti's submission is not "authority". Rather, it consists almost exclusively of argumentative and dissembling rhetoric. Indeed, because the current "Citation to Relevant Authority" is redundant with Libretti's since-denied January 25 Motion to Supplement, it necessarily suffers from the same defects. Those defects are summarized in CMBA's 2 ½ page

[1]Only the last page of Libretti's current submission is new.
[2]Libretti's January 25, 2015 Motion has been removed from this Court's electronic docket.

Response of CMBA to Applicant's Motion to Supplement (filed Feb. 2, 2015), which is incorporated herein by this reference.

In conclusion, Libretti is not entitled to ignore this Court's February 6, 2015 Order, nor is he entitled to circumvent it by seeking to slip the same argumentative "supplement" into the record as a so-called "Citation to Relevant Authority". Finally, Libretti's submission contravenes S.Ct.Prac.R. 17.09, and the very authority recently cited by Libretti's amici: *Hoyle v. DTJ Enterprises Inc.*, 2015-Ohio-843.

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Respectfully Submitted,

/s/ Paul G. Crist

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CERTIFICATE OF FILING AND SERVICE

The undersigned certifies that the foregoing MOTION OF CMBA TO STRIKE APPLICANT'S "CITATION TO RELEVANT AUTHORITY" was e-filed this 24th day of June, 2015 with:

Office of the Clerk
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And a copy was emailed and/or mailed this 24th day of June, 2015 to each of the following:

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