

IN THE SUPREME COURT OF OHIO

CITY OF DAYTON,	:	Supreme Court Case No. _____
	:	
Plaintiff-Appellant,	:	On Appeal from the Montgomery
	:	County Court of Appeals,
v.	:	Second Appellate District
	:	(Case No. 26643)
STATE OF OHIO,	:	Trial Court No.: 2015 CV 1457
	:	
Defendant-Appellee.	:	

NOTICE OF APPEAL

LYNN R. DONALDSON #0041507
INTERIM CITY ATTORNEY
John C Musto #0071512
Senior Attorney
City of Dayton Department of Law
101 West Third Street
Dayton, Ohio 45401
Tel. (937) 333-4100
Fax. (937) 333-3628
Email: John.Musto@Daytonohio.gov

*Counsel for Appellant
City of Dayton*

Halli Brownfield Watson (0082466)
Nicole M. Koppitch (0082129)
Ohio Attorney General's Office
30 East Broad Street, 16th Floor
Columbus, Ohio 43215

*Counsel for Appellee
State of Ohio*

Appellant, City of Dayton, Ohio, hereby gives notice of its appeal to this Supreme Court of the Final Entry and Opinion of the Second District Court of Appeal in City of Dayton, Ohio v. State, Case No. CA 26643, T.C. No. 15CV1457, which were entered August 7, 2015. Copies of the Final Entry and Opinion are attached hereto as Exhibits 1 and 2, respectively. This case raises a substantial constitutional question and is one of great public and general interest.

Respectfully submitted,

LYNN R. DONALDSON #0041507
INTERIM CITY ATTORNEY

/s/ John C. Musto
John C. Musto #0071512
Senior Attorney
101 West Third Street
P.O. Box 22
Dayton, Ohio 45402
Tel. (937) 333-4100
Fax (937) 333-3628
Email: John.Musto@DaytonOhio.gov
Attorney for City of Dayton

CERTIFICATE OF SERVICE

The undersigned certifies that on September 18th, 2015, a copy of the foregoing Notice of Appeal was served via U.S. mail, postage pre-paid to the following:

Halli Brownfield Watson, Esq.
Nicole M. Koppitch, Esq.
Ohio Attorney General's Office
30 East Broad Street, 16th Floor
Columbus, Ohio 43215

Counsel for Appellee
State of Ohio

/s/ John C. Musto
John C. Musto (#0071512)
Senior Attorney