ORIGINAL

IN THE SUPREME COURT OF OHIO

Gary L. Bibler, et al.,	:	
Appellant	:	On Appeal from the Hancock County Court of Appeals Third Appellate District
v.	:	
Jill D. Stevenson, et al.,	:	Court of Appeals Case No. 5-14-29
Appellee	:	

REPLY BRIEF OF APPELLANT GARY L. BIBLER

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The Appellees argument, while stating the history of governmental immunity, continues, as did the 10th District in *Waters v. Columbus*, to ignore the entire statutory scheme of public safety as it relates to highways and the legislative intent with the exception to immunity set forth in R.C. 2744.02(B)(3) to assure the political subdivisions continue as mandated by R.C. 4511.11(A) to carry out the provision of R.C. 4511.01 to 4511.76 to regulate, warn or guide traffic.

As a result, Appellee fails to recognize that the rules of statutory interpretation applicable to this case are those relating to public safety which requires that the statutes be liberally construed to the end that the health, safety and welfare of the people of this State is protected. *Mason v. Roberts*, 33 Ohio St. 2d 29, 294 N.E.2d 884.

When the entire statutory scheme is considered, the propositions of law suggested by the Appellants are the only conclusions that can be reached to protect the health, safety and welfare of the public.

A contrary holding would make statutes such as 4511.11 (A) totally meaningless.

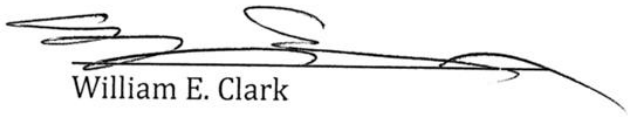
Respectfully submitted,

William E. Clark

COUNSEL FOR APPELLANT,
GARY L. BIBLER, ET EX

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was sent by ordinary U.S. mail to Donald Rasmussen, Attorney for Appellee City of Findlay, 318 Dorney Plaza, Rm. 310, Findlay, Ohio 45840 and Eric M. Allain, Attorney for Appellee City of Findlay, 28906 Loraine Road, Suite 101, North Olmstead, OH 44070, by Regular U.S. Mail, on the 9th day of June, 2016.



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