

No. 2016-0395

In the Supreme Court of Ohio

APPEAL FROM THE COURT OF APPEALS
TENTH APPELLATE DISTRICT
FRANKLIN COUNTY, OHIO
CASE No. 15AP-884

In re: [C.C.S.], [C.L.S.],
Petitioner-Appellant,

v.

ADOPTION BY GENTLE CARE,
Respondent-Appellee,

Appellee's Request for Extension

Steven E. Hillman (0002578)
8581 Crail Court
Dublin, OH 43017
Tel: 614-766-6346
Fax: 614-766-6431
law@stevenhillman.com

*Attorney for Petitioner-Appellant
Caroline Stearns*

Jon W. Oebker (0064255)
Tucker Ellis LLP
950 Main Avenue, Suite 1100
Cleveland, OH 44113-7213
Tel: 216-592-5000
Fax: 216-592-5009
jon.oebker@tuckerellis.com

A. Patrick Hamilton (0013909)
400 S. Fifth Street, Suite 103
Columbus, OH 43215
Tel: 614-464-4532
Hamiltonlaw13909@yahoo.com

*Attorneys for Respondent-Appellee
Adoption by Gentle Care*

Pursuant to S.Ct.Prac.R. 3.03(B)(2)(b)(i), Appellee Adoption by Gentle Care (“AGC”) respectfully requests a limited 7-day extension of time to file its merit brief in this case. The brief of amicus curiae Ohio Birthparent Group in support of Appellant was filed on June 6, 2016. Pursuant to S.Ct.Prac.R. 16.03(A)(3), AGC’s time period to file its appellee brief is “calculated from the date the last brief in support of the appellant is filed, including an amicus brief in support of appellants.” Thus, because the twentieth day is Sunday June 26, AGC’s brief is currently due Monday June 27, 2016.

AGC has not previously asked for an extension from this Court and this is the first and only extension AGC has requested in past two years of appeals for this case. Opposing counsel declined AGC’s request for stipulated extension under S.Ct.Prac.R.3.03(B)(2)(a)(i).

AGC respectfully submits that given counsel’s current workload, including the possibility, that arose with within the last twenty-four hours, of litigation in federal court involving a temporary restraining order in the Central District of Illinois, good cause for a limited 7-day extension is shown. In addition, after reading Appellant’s merit brief and the amicus brief filed in support of Appellant, an adoption-related interest group has expressed interest in weighing in on this case by filing an amicus brief and a 7-day extension would allow the group more time to consider and possibly submit an amicus brief.

AGC's brief is currently due on Monday June 27, 2016. AGC respectfully asks for a 7-day extension which, if granted, would result in AGC's brief being due on Tuesday July 5, 2016¹.

Respectfully submitted,

s/Jon W. Oebker
Jon W. Oebker (0064255)
Tucker Ellis LLP
950 Main Avenue, Suite 1100
Cleveland, OH 44113-7213
Tel: 216.592.5000
jon.oebker@tuckerellis.com

s/A. Patrick Hamilton
A. Patrick Hamilton (0013909)
400 S. Fifth Street, Suite 103
Columbus, Ohio 43215
Tel: 614.464.4532
hamiltonlaw13909@yahoo.com

*Attorneys for Respondent-Appellee
Adoption by Gentle Care*

¹ The seventh day falls on the July 4th holiday.

PROOF OF SERVICE

A copy of the foregoing was served on June 22, 2016 per S.Ct.Prac.R. 3.11(B) by

email and by mailing it by United States mail to:

Steven E. Hillman (0002578)
8581 Crail Court
Dublin, Ohio
Tel: (614) 766-6346
law@stevenhillman.com

*Attorney for Petitioner-Appellant, Caroline
Stearns*

s/Jon W. Oebker
*Attorney for Respondent-Appellee
Adoption by Gentle Care*