

elections in preparing for the 2008 general election,” (Motion for Relief from Stay at 7), but the Secretary of State respectfully disagrees with that assertion. She has limited personnel who are charged with elections administration. These individuals have already worked with her on issuing 60 new directives for 2008. They are busily working on others which will be issued before the November general election. Their attention is best served working on this instead of aiding defense counsel on charges concerning the 2004 election. Likewise, the Secretary’s statutory counsel, the Ohio Attorney General, also has limited resources. Counsel for Secretary Brunner have been busy representing their client in this Court as well as others in Franklin County. Their attention is also best served dealing with issues concerning the 2008 election and other matters of importance to the Secretary.

The Plaintiffs have simply failed to address why it is necessary to begin litigation at this point instead of waiting three months. While the Secretary is cognizant of the fact that parties to litigation should be allowed to conduct appropriate discovery, there is no reason to start discovery at this time. The most important obligation Secretary Brunner and the boards of elections have at this point is to properly prepare for the November general election. Since this case is already stayed, it should remain so for the near term.

Respectfully submitted,

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Certificate of Service

This is to certify a copy of the foregoing was served upon all counsel of record by means of the Court's electronic filing system on this 11th day of August, 2008.

/s Richard N. Coglianesi