

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

NORTHEAST OHIO COALITION	:	
FOR THE HOMELESS, <i>et al.</i> ,	:	CASE NO. C2:06-0896
	:	
Plaintiffs,	:	JUDGE ALGENON MARBLEY
v.	:	
	:	MAGISTRATE TERENCE KEMP
JENNIFER BRUNNER, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**MEMORANDUM OF DEFENDANT THE STATE OF OHIO, IN OPPOSITION TO
PLAINTIFFS' SUPPLEMENTAL BRIEF ON REASONABLE ATTORNEY FEES AND
MOTION FOR RECONSIDERATION OF DECISION TO GRANT PLAINTIFFS' FIRST
MOTION FOR ATTORNEYS' FEES**

Earlier today, Defendant the Secretary of State filed her Memorandum in Opposition to Plaintiffs' Supplemental Brief on Reasonable Attorney Fees and Motion for Reconsideration of Decision to Grant Plaintiff's First Motion for Attorneys Fees. Defendant State of Ohio hereby incorporates the arguments set forth in that brief by reference, and asks this Court to deny the Plaintiffs' supplemental request for attorneys' fees as well as reconsider its previous order determining that the Plaintiffs' attorneys were able to receive fees as a result of the 2006 Consent Orders for the reasons stated in the Secretary of State's brief.

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed electronically on this 27th day of February, 2009. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt.

/s/ Craig A. Calcaterra
CRAIG A. CALCATERRA