

**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' MOTION FOR RECONSIDERATION**

The State of Ohio adopts by reference its previous arguments concerning the motion to dismiss. It asks this Court to reject the Plaintiffs' motion to reconsider based upon its arguments and the Court's previous ruling on this matter.

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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