

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

THE NORTHEAST OHIO COALITION FOR
THE HOMELESS and

SERVICE EMPLOYEES
INTERNATIONAL UNION, LOCAL 1199,

Plaintiffs,

v.

JENNIFER BRUNNER,
OHIO SECRETARY OF STATE,

Defendant.

Case No. 2:06-CV-896

Judge Algenon L. Marbley

THE NORTHEAST OHIO COALITION FOR
THE HOMELESS and

SERVICE EMPLOYEES
INTERNATIONAL UNION, LOCAL 1199,

Plaintiffs,

v.

THE STATE OF OHIO,

Intervenor-Defendant.

**NOTICE OF APPEAL BY
DEFENDANT SECRETARY
OF STATE JON HUSTED**

Pursuant to F.R.A.P. 3 and 4, notice is hereby given that Defendant Ohio Secretary of State Jon Husted¹ in the above-named case, hereby appeals to the United States Court of Appeals for the Sixth Circuit from the Order and Opinion awarding attorneys' fees entered in this action on November 30, 2010 (Doc. 234). A previous notice of appeal was filed by the Intervenor

¹ Secretary of State Jon Husted became Ohio Secretary of State on January 10, 2011 and automatically replaces former Secretary of State Jennifer Brunner by operation of Fed. R. Civ. P. 25(d).

Defendant State of Ohio on December 29, 2010 and a notice of cross-appeal was filed by the Plaintiffs on January 11, 2011.

Respectfully submitted,

MIKE DEWINE
Ohio Attorney General

/s Richard N. Coglianese
Richard N. Coglianese
*Trial Counsel
Assistant Attorney General
Constitutional Offices Section
30 East Broad Street, 16th Floor
Columbus, Ohio 43215
614-466-2872
614-728-7592 (fax)
Richard.Coglianese@ohioattorneygeneral.gov

Counsel for Secretary of State Jon Husted

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed electronically on this 11th day of January, 2011. 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/ Richard N. Coglianese
RICHARD N. COGLIANESE
Assistant Attorney General