

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Dana Skaggs and Kyle Fannin

(b) County of Residence of First Listed Plaintiff Franklin (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

See Attachment

DEFENDANTS

Jennifer L. Brunner, Secretary of the State of Ohio and The Board of Elections of Franklin County, Ohio

County of Residence of First Listed Defendant Franklin (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED

Attorneys (If Known)

See Attachment

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with columns for Insurance, Personal Injury, Personal Property, Agriculture, Bankruptcy, Labor Standards, and General Tax Subjects. Includes checkboxes for various legal categories like 110 Insurance, 310 Airplane, 362 Personal Injury - Med. Malpractice, etc.

V. ORIGIN

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from another district (specify), 6 Multidistrict Litigation, 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 42 U.S.C. 15482. Brief description of cause: Appropriate way to process and count provisional ballots.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23. DEMANDS. CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE Supreme Court of Ohio DOCKET NUMBER 08-2206

DATE SIGNATURE OF ATTORNEY OF RECORD

11/13/08

[Handwritten Signature]

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

Plaintiff's Attorneys

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Defendants' Attorneys

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Brunner Secretary of the State of Ohio*

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*Attorney for Defendant, Board of Elections
of Franklin County, Ohio*

**SUPPLEMENTAL CIVIL COVER SHEET
FOR CASES REMOVED FROM STATE COURT**

*This form must be attached to the Civil Cover Sheet at the time
the case is filed in the United States District Court*

State Court County: <u>Supreme Court of Ohio</u>		
Case number and caption:		
<u>08-2206</u>	<u>Dana Skaggs, Kyle Feg</u>	<u>Jennifer L. Brunner Sec</u>
Case Number	Plaintiff(s)	Defendant(s)

Jury Demand Made in State Court:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If "Yes," by which party and on what Date:		
Party	Date	

Were there parties not served prior to removal?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Were there parties dismissed/terminated prior to removal?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Were there answers filed in State Court?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is there a pending TRO in State Court?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

If you have answered "yes" to any of the above please list parties not served, the parties dismissed/terminated and the parties that filed their answers on the reverse of this page.

On the reverse of this page please list all Plaintiff(s), Defendant(s), Intervenor(s), Counterclaimant(s), Crossclaimant(s) and Third Party Claimant(s) still remaining in the case and indicate their party type. Please list the attorney(s) of record for each party named and include their bar number, firm name, correct mailing address and phone number, including area code.

Are copies of all state case pleadings attached to your removal?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If your answer is "No", when will they be filed:		
List the parties that are removing the case:		
<u>Ohio Secretary of State, Jennifer Brunner</u>		

Parties Not Served	Parties Dismissed	Answers Filed
<i>I.E. Defendant John Doe</i>	<i>I.E. Defendant John Doe</i>	<i>I.E. Defendant John Doe</i>

Party and Type	Attorney(s)
<i>I.E. Plaintiff John Doe</i> Plaintiffs Dana Skaggs Plaintiff Kyle Fannin Defendant Jennifer L. Brunner Secretary of the State of Ohio Defendant The Board of Elections of Franklin County, Ohio	<i>I.E. Attorney(s) Name</i> <i>Firm</i> <i>Address</i> <i>City, State, Zip</i> <i>Telephone and Fax Number</i> <i>Supreme Court Number</i> See Attached Sheet

USE A SEPARATE SHEET OF PAPER IF NECESSARY

Plaintiff's Attorneys

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