

IN THE SUPREME COURT OF OHIO

THE STATE OF OHIO EX. REL.  
SUMMIT COUNTY REPUBLICAN  
PARTY EXECUTIVE COMMITTEE

CASE NUMBER: 08-0478

RELATOR,

vs.

JENNIFER BRUNNER  
OHIO SECRETARY OF STATE

RESPONDENT.

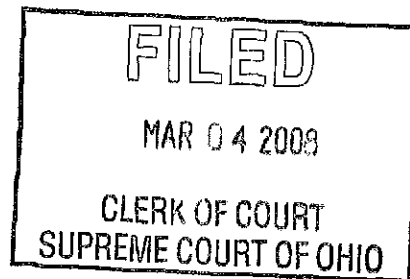
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**RELATOR'S RESPONSE TO RESPONDENT'S MOTION TO REMOVE THIS  
CASE FROM THE COURT'S EXPEDITED ELECTIONS CALENDAR**

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COUNSEL FOR RELATOR  
SUMMIT COUNTY REPUBLICAN PARTY EXECUTIVE COMMITTEE



Relator, Summit County Republican Executive Committee, hereby objects to the misrepresentation by the Respondent in its Motion to Remove that Relator is requesting that this Court prohibit the Summit County Board of Elections from conducting its organizational meeting. This statement is simply untrue. Relator is simply requesting by its Motion for Emergency Writ that the Summit County Board of Elections meet in statutory obligation of reorganization under O.R.C. Section 3501.07 using its current board membership. This will allow the Board to continue with the four (4) lawfully appointed members and not the one unlawful member currently the subject of challenge in this mandamus action.

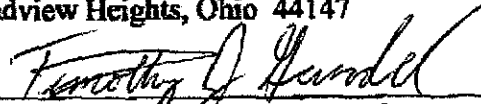
Moreover, the Court should treat this case on an expedited basis so as to facilitate the resolution of the Election Board membership issue. Such expeditious handling would be especially necessary if the unlawfully appointed member is allowed to sit on the Board, since every decision by that unlawfully appointment member will be subject to future legal challenge should this Court grant the mandamus writ relief in this action.

Finally, Respondent in their Motion and Supporting Memorandum has totally failed to address the issue of the potential for the unlawful firing and hiring of current employees of the Summit County Board of Elections that likely will occur if the unlawful appointee, Mr. Varian, is allowed to sit on the Board for any period of time prior to this Court granting the requested mandamus relief.

For the reasons stated herein and in Relator's prior filings, and in the best interest of expedited justice, Relator respectfully requests that this Court grant Relator's Motion for Emergency Writ and schedule this matter for expedited briefing, hearing, and adjudication.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

Counsel for Relator has served a copy of this Motion for Emergency Writ, Stay or Other Relief by facsimile to 614-728-7592 to Richard N. Coglianesi and Damian W. Sikora.

  
Timothy J. Gendell  
*Attorney for Relator*