

**In The United States District Court
For The Southern District of Ohio
Eastern Division**

Union County Commissioners, *et al.*,

Plaintiffs,

vs.

Case No. 2:08-cv-112

Secretary of State Brunner

Judge Watson

Defendants.

Notice Withdrawing Removal Petition

Now comes Defendant Secretary of State Jennifer Brunner and gives notice to this Court that she is withdrawing her notice of removal to this Court. Since the state case file was transferred from Union County to Franklin County by certified mail, delaying its docketing in Franklin County, Secretary of State Brunner was unable to file a notice of removal with the State Court contemporaneously with filing of the removal petition in this Court. On February 8, 2008, the same day the case was docketed in the Franklin County Common Pleas Court, that Court heard the Secretary's motion to dissolve the temporary restraining order and the Court announced that it will issue a ruling on that motion by lunchtime on February 11, 2008. The Court has further scheduled a trial on the merits for this case beginning on February 13, 2008 at 1:30 pm. The Plaintiffs consent to this case being heard exclusively in the Franklin County Common Pleas Court and Defendant Secretary of State Brunner hereby withdraws the removal petition previously filed in this Court.

Respectfully submitted,

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