

COPY

IN THE OHIO COURT OF CLAIMS

FILED
COURT OF CLAIMS
OF OHIO

2014 OCT -3 AM 10:47

WILLIAM RUSSELL,)	CASE NO.: 2013-00138
)	
Plaintiff,)	
)	JUDGE PATRICK M. McGRATH
vs.)	MAGISTRATE HOLLY T. SHAVER
)	
CLEVELAND STATE UNIVERSITY,)	
)	
Defendant.)	

STEVEN LISS,)	CASE NO.: 2013-00139
)	
Plaintiff,)	JUDGE PATRICK M. McGRATH
)	
vs.)	MAGISTRATE HOLLY T. SHAVER
)	
CLEVELAND STATE UNIVERSITY,)	
)	
Defendant.)	

PLAINTIFFS' MOTION FOR LEAVE TO FILE RESPONSES TO MOTION FOR SUMMARY JUDGMENT BY FACSIMILE OR ELECTRONIC MAIL WITH ORIGINALS TO FOLLOW BY OVERNIGHT MAIL

Plaintiffs Steven Liss and William Russell (together, "Plaintiffs") respectfully seek leave to file their respective responses¹ to Cleveland State University's ("Defendant") consolidated motion for summary judgment by facsimile or electronic mail with the original responses to follow by overnight mail to arrive on October 15, 2014. This request is not made for any improper purpose and will in no way delay these proceedings or prejudice any party.

Good cause supports this request. Pursuant L.C.C.R. 4(C), Plaintiffs' responses are due on Tuesday, October 14, 2014.² The business day prior to October 14 is Friday, October 10 because Monday, October 13 is a legal holiday. As such, to file by mail, Plaintiffs would have to

¹ Concurrently herewith, Plaintiffs file a motion seeking leave to file a consolidated response to Defendant's motion for summary judgment.

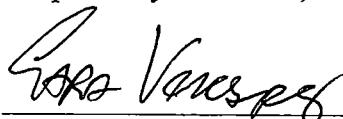
² The Rule provides for 14 days to respond and the motion for summary judgment was served by electronic mail on September 29, 2014; because 14 days from September 29 is Columbus Day, a legal holiday, Plaintiffs' responses are due the following day.

ON COMPUTER

mail their responses by October 10. To file in person, Plaintiffs would have to incur additional costs because the offices of Plaintiffs' counsel are located in Cleveland, Ohio.

For these reasons, Plaintiffs respectfully request that the Court grant them leave to file their respective responses to CSU's consolidated motion for summary judgment by facsimile or electronic mail with the original responses to follow by overnight mail.

Respectfully submitted,



MARK GRIFFIN (0064141)

mgriffin@tpgfirm.com

SARA W. VERESPEJ (0085511)

sverespej@tpgfirm.com

THORMAN PETROV GRIFFIN CO., LPA

3100 Terminal Tower

50 Public Square

Cleveland, Ohio 44113

Tel. (216) 621-3500

Fax (216) 621-3422

*Attorneys for Plaintiffs Steven Liss and William
Russell*

CERTIFICATE OF SERVICE

A true and accurate copy of the foregoing was served via electronic mail, on this 30th day
of September 2014 to:

Randall W. Knutti, Esq.
Amy S. Brown, Esq.
Emily M. Simmons, Esq.
Ohio Attorney General's Office
Court of Claims Defense Section
150 East Gay Street, Floor 18
Columbus, OH 43215
Randall.Knutti@OhioAttorneyGeneral.gov
Amy.Brown@OhioAttorneyGeneral.gov
Emily.Simmons@OhioAttorneyGeneral.gov

Attorneys for Defendant



*Attorney for Plaintiffs Steven Liss and William
Russell*