

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**LEAGUE OF WOMEN VOTERS, *et al.*, :**  
**Plaintiffs, :**  
**VS. :** **CASE NO. 3:05-CV-7309**  
**J. KENNETH BLACKWELL, *et al.*, :** **JUDGE CARR**  
**Defendants. :**

**DEFENDANTS' REPLY IN SUPPORT OF THEIR MOTION  
FOR INTERLOCUTORY APPEAL ON THE MOTION TO DISMISS  
THE INTERVENOR'S COMPLAINT**

The Defendants are glad that the Intervenor recognizes the same issues raised in the motion to take an interlocutory appeal in the case against the Plaintiffs are also present in their motion against White. Therefore, the Defendants ask this Court to certify the same question as it relates to the Intervenor.

As it relates to White's allegations concerning the Defendants' appeal of right, the Defendants state that this Court lost jurisdiction over that claim as soon as the Defendants filed their notice of appeal. The Defendants further state that since the Plaintiffs have not affirmatively moved this Court for relief, they are not entitled to raise any argument in relation to

this appeal. The Defendants further incorporate by reference their previous arguments in support of their appeal of right and their motion to dismiss the Plaintiffs' claim filed on May 1, 2006.

Respectfully submitted,

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Attorney General

/s Richard N. Coglianes  
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#### **Certificate of Service**

This is to certify a copy of the foregoing was served upon all counsel of record by means of the Court's electronic filing system on this 1<sup>st</sup> day of May, 2006.

/s Richard N. Coglianes