

APPEAL NO. 08-4585

IN THE UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

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State of Ohio ex rel., Dana Skaggs, et al.,

Relators-Appellants

v.

Jennifer L. Brunner  
Secretary of the State of Ohio, et al.,

Respondents-Appellees

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APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO

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NOTICE BY RELATORS OF DISTRICT COURT'S  
ISSUANCE OF INJUNCTION

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ATTORNEYS FOR RELATORS-APPELLANTS

Relators Dana Skaggs and Kyle Fannin have filed an Emergency Motion for an Order Pursuant to Appellate Rule 8 for Injunctive Relief Pending Appeal. As fully set forth in said memorandum, the prior standstill agreement prohibiting the opening of the provisional ballots expires at 9:00 a.m. on Friday, November 21, 2008.

Notice is hereby given that the District Court has granted an injunction, in favor of Movants, enjoining the Ohio Secretary of State and Franklin County Board of Elections from opening or counting the provisional ballots until November 28, 2008 at 9:00 a.m.

Accordingly, injunctive relief from this Court is still necessary pending the resolution of this appeal. However, a ruling from this Court on the pending motion is not required until Friday, November 28, 2008, at 9:00 a.m.

RESPECTFULLY SUBMITTED this 20th day of November, 2008.

/s/ John W. Zeiger

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**CERTIFICATE OF SERVICE**

I certify that on November 20, 2008, the foregoing document was served on all parties or their counsel of record through the CM/ECF system if they are registered users or, if they are not, by placing a true and correct copy in the United States mail, postage prepaid, to their address of record.

/s/ John W. Zeiger

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