

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>JAMES OBERGEFELL, et al.</b>	:	<b>Civil Action No. 1:13-cv-501</b>
<b>Plaintiffs,</b>	:	
	:	<b>Judge Timothy S. Black</b>
v.	:	
	:	
<b>JOHN KASICH, et. al.,</b>	:	<b>STIPULATION</b>
	:	
<b>Defendants.</b>	:	
	:	

The parties have all reviewed the motion to amend the complaint, the proposed amended complaint and the motion for temporary restraining order as applied to David Michener. The parties are aware that Plaintiffs have requested that a temporary restraining order be entered today, Tuesday, September 3, 2013.

The Defendants do not oppose the motion to amend the complaint. The parties acknowledge that on January 16, 2013 and pursuant to O.R.C. §2108.70, David Michener was duly appointed by William Ives as Ives’ representative for the purpose of directing the disposition of Ives’ remains. The Defendants reassert all of their arguments that were previously raised when a similar motion for a temporary restraining order was raised with respect to Plaintiffs James Obergefell and John Arthur. The parties have agreed to submit the matter to the Court on the pleadings and do not request a hearing. The parties of course will participate in any telephone conference or other proceeding should the Court so request.

Respectfully submitted,

<u>/s/ Alphonse A. Gerhardstein</u> Alphonse A. Gerhardstein (0032053) Trial Attorney for Plaintiff	MIKE DEWINE Ohio Attorney General
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	<p><u>/s/ Aaron Herzig</u>  Aaron Herzig (0079371)  Deputy City Solicitor  Room 214, City Hall  801 Plum Street  Cincinnati, Ohio 45202  (513) 352-3320  FAX: (513) 352-1515  <a href="mailto:aaron.herzig@cincinnati-oh.gov">aaron.herzig@cincinnati-oh.gov</a></p> <p><i>Trial Counsel for Defendant Camille Jones, M.D.</i></p>

**CERTIFICATE OF SERVICE**

I certify that the foregoing stipulation was filed using the Court’s ECF filing system on September 3, 2013. The ECF system will notify all counsels of record of this filing.

/s/Alphonse A. Gerhardstein

Alphonse A. Gerhardstein