

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**KING LINCOLN BROWNSVILLE
NEIGHBORHOOD ASSOCIATION, *ET AL.***

CASE NO. 2:06-CV-745

PLAINTIFFS,

V.

**JUDGE MARBLEY
MAGISTRATE JUDGE KEMP**

**OHIO SECRETARY OF STATE
JENNIFER BRUNNER, ET AL.**

**PLAINTIFFS' MOTION FOR A FURTHER EXTENSION WITHIN WHICH TO FILE
THEIR BRIEF AS TO ISSUES IDENTIFIED BY THE COURT**

Plaintiffs move that they be granted an additional extension of three days in which to file their brief due today in response to the issues identified by the Court.

Respectfully submitted,
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Counsel for Plaintiffs

MEMORANDUM IN SUPPORT

Trial counsel for the Defendant Ohio Secretary of State provided today copies of the contracts between that office and SmarTech for the period after the 2004 and preceding the 2006 election. Plaintiffs have reiterated their request for GovTech and SmarTech contracts preceding the 2004 election. These contracts were discussed in the plaintiffs' deposition of Michael Connell are relevant to both the jurisdictional and scope of ballot retention issues identified by the court for briefing by the parties. Trial counsel requests a further extension of three days, until Friday, July 15, 2011, to file plaintiffs' brief in this matter.

Trial counsel for plaintiffs made a request of trial counsel for defendants to a further extension this afternoon. He has not yet received a response.

Respectfully submitted,

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

A copy of the foregoing was served upon counsel through the court's electronic filing system, this 12th day of July 2011.

/s/ Clifford O. Arnebeck, Jr.

Clifford O. Arnebeck, Jr.