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IN THE COURT OF COMMON PLEAS
LICKING COUNTY, OHIO

LICKING COUNTY
COURT OF COMMON PLEAS

John Thornborough, et al.

2007 SEP 19 P 3:21

Appellants,

v.

Case No.: 2007 CV 01076

FILED
GARY R. WALTERS
CLERK

Counsel of the Village of
Granville, Ohio, et al

Judge Jon R. Spahr

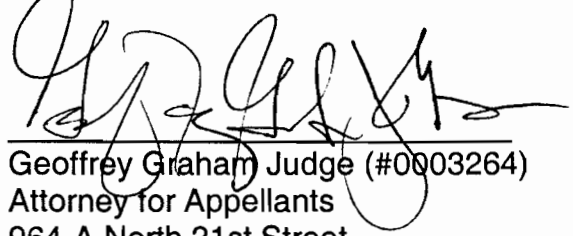
Appellees.

MEMORANDUM CONTRA MOTION OF APPELLEE
VILLAGE OF GRANVILLE TO DISMISS THE COUNSEL OF THE VILLAGE
AND THE VILLAGE PLANNING COMMISSION AS APPELLEES

Pursuant to O.R.C. § 2505.04, Appellants filed a written notice of appeal with the Village of Granville, the Granville Village Council (which had the most recent decision averse to them), and the Granville Planning Commission, the instrumentality of the Village which had originally acted in this matter, the act from which an appeal was first taken. O.R.C. § 2505.04 states in pertinent part: “[a]n appeal is perfected when a written notice of appeal is filed ... in the case of an administrative-related appeal, with the administrative officer, agency, board, department, tribunal, commission, or other instrumentally involved.” Due to the extra-judicial nature of parts of the administrative process involved, the appellants, unrepresented by counsel, took every reasonable step under the statute to ensure the protection of their rights in this matter.

It is hereby submitted that Appellants have taken every sufficient jurisdictional step to perfect this administrative appeal against any and all necessary and indispensable parties, and that Appellee’s motion to dismiss should not result in any action by this court which would seriously and substantially prejudice the Appellants in seeking remedies should they prevail in their appeal.

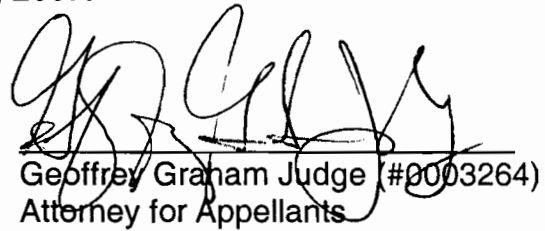
Respectfully Submitted,



Geoffrey Graham Judge (#0003264)
Attorney for Appellants
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Newark, OH 43055
(740) 366-7446

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served upon all parties or their attorney of record, in this matter by regular US Mail on this 19th day of September, 2007.



Geoffrey Graham Judge (#0003264)
Attorney for Appellants