

IN THE COURT OF COMMON PLEAS, LICKING COUNTY, OHIO

LICKING COUNTY
COMMON PLEAS COURT

John Thornborough, et al.,

Appellants, 2008 APR -8 P 3: 43

Case No. 2007 CV 01076

-vs-

FILED
GARY R. WALTERS
CLERK

Judge Spahr

Council of the Village of Granville,
Ohio, et al.,

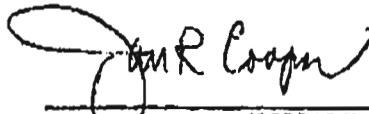
Appellees.

APPELLEE DENISON UNIVERSITY'S REPLY TO APPELLANTS' MEMORANDUM IN RESPONSE TO DENISON UNIVERSITY'S MOTION FOR PARTIAL MODIFICATION OF THE JUDGMENT FILED MARCH 10, 2008, OR ALTERNATIVELY, MOTION FOR PARTIAL STAY OF EXECUTION

Appellee Denison University appreciates Appellants' desire that Cleveland Hall be preserved and renovated. Denison University has respected the judicial and administrative decisions throughout the planning and zoning process and has proceeded measurably with construction in a manner consistent with the decisions and the advice of its architects and contractors. The University recalls no "admonishment" as to its work. The purpose of the University's motion for partial relief was to preserve the issues raised by the case, but to be permitted to continue construction in ways that would avoid costs of complete shutdown of a project which in large part is desirable for all parties. The overwhelming thrust of Appellants' complaints have centered on the glass addition. Hence, the University sought to avoid work on that addition while continuing to work on uncontested portions and on areas that were not the focus of the Village Council hearing.

For the foregoing reasons, and for the reasons set forth in the supporting memorandum of the University's motion for partial modification, or alternatively, motion for partial stay, Appellee Denison University requests that its motion be granted.

Respectfully submitted,



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PROOF OF SERVICE

A copy of the foregoing was served on Geoffrey Graham Judge, 064 North 21st Street, Suite A, Newark, Ohio 43055, Attorney for Appellants; and upon D. Michael Crites, Law Director, Village of Granville, and James R. Gorry, Assistant Law Director, RICH, CRITES & DITTMER, LLC, 300 East Broad Street, Suite 300, Columbus, Ohio 43215, Attorneys for Appellee Village of Granville, by ordinary U.S. mail, postage prepaid, this 8th day of April, 2008.

Respectfully submitted,



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