

**IN THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

DEREK HAMILTON, et al.,	:	
	:	
Plaintiffs-Appellants,	:	Case No. 08-4439
v.	:	
	:	Judge Nugent
ASHLAND COUNTY	:	
BOARD OF ELECTIONS, et al.,	:	
	:	
Defendants-Appellees	:	
	:	

**RESPONSE OF DEFENDANT SECRETARY OF STATE JENNIFER BRUNNER
TO THE APPELLANTS' MOTION**

Defendant Secretary of State Jennifer Brunner stands by the position she advocated in the District Court in response to the Plaintiffs' motion for a temporary restraining order and incorporates that position by reference (R. 12). She further does not object to the Plaintiffs filing an appeal with this Court.

Respectfully submitted,

NANCY H. ROGERS
Attorney General of Ohio

/s/ Richard N. Coglianese
Richard N. Coglianese (0066830),
Counsel of Record
Damian W. Sikora (0075224)
Pearl M. Chin (0078810)
Assistant Attorneys General
Constitutional Offices Section
30 East Broad Street, 16th Floor
Columbus, Ohio 43215
614-466-2872
614-728-7592 (fax)
rcoglianese@ag.state.oh.us
dsikora@ag.state.oh.us
pchin@ag.state.oh.us

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically on November 3, 2008. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Richard N. Coglianesi
Richard N. Coglianesi