

**In The United States District Court  
For The Northern District Of Ohio  
Western Division**

**League of Women Voters of Ohio, *et al.*,**

**Plaintiffs,**

**vs.**

**Case No. 3:05-CV-7309**

**J. Kenneth Blackwell, *et al.*,**

**Judge Carr**

**Defendants.**

**Defendants' Motion For Leave To Take An Interlocutory Appeal  
Pursuant to 28 USC § 1292**

Defendants Governor Taft and Secretary of State Blackwell seek permission to take an interlocutory appeal of this Court's decision denying their motion to dismiss Intervenor White's claim. The question presented in this interlocutory appeal would be whether the Intervenor's complaint stated a constitutional violation. This Court has already authorized that appeal as it relates to the Plaintiffs' claims. The Defendants incorporate, by reference, all arguments they made in support of that interlocutory appeal.

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**Certificate of Service**

This is to certify a copy of the foregoing was served upon all counsel of record by means of this Court's electronic filing system on this 4<sup>th</sup> day of April, 2006.

/s Richard N. Coglianesi  
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Deputy Attorney General