

**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 4th day of April, 2006.

/s Richard N. Coglianesi
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Deputy Attorney General