

IN THE OHIO SUPREME COURT

STATE OF OHIO *ex rel.*
SANDUSKIANS FOR SANDUSKY, *et*
al.,

S.C. Case No. 2022-1103

Relators

vs.

CITY OF SANDUSKY, OHIO, *et al.*,
Respondent

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INTRODUCTION

The issue herein is: because the City of Sandusky has its own charter section regarding amendments to its charter; R.C. 731.28 through R.C. 731.41 do not apply to the Petitions that are at issue in this Writ.

This is an original election matter seeking to compel Respondents, *viz.*, City of Sandusky Law Director, Brendan Heil to forthwith find that the Petitions for a proposed charter amendment filed by residents and qualified electors of the City of Sandusky on August 3, 2022 are valid and sufficient in all respects and to communicate such determination to the City Council of Sandusky ("Respondent City Council") and/or to compel Respondent City Council to forthwith submit it to the electors of Sandusky for their approval or rejection of Amending the Charter of the City of Sandusky, Sec. 25, paragraph 4 at the November 8, 2022 general election. Also, to order that the Erie County Board of Elections accept the Petitions that the City of Sandusky Law Director, Brendan Heil filed late and place the issue on the ballot of the November 8, 2022 general election.

Relator SANDUSKIANS FOR SANDUSKY is an unincorporated association of individuals formed in order to lead and coordinate the effort to put forth a charter amendment to Amend the Charter of the City of Sandusky. Relator, CRAIG McCLOSKEY II, at all relevant times is a resident and taxpayer in the City of Sandusky, Ohio, and is one of the members of SANDUSKIANS FOR SANDUSKY. (Relators' Complaint ¶2, *McCloskey Affidavit* (Ex.1) ¶3)

On or about August 3, 2022, Sanduskians for Sandusky filed with the Clerk of Council of the City of Sandusky, 21 whole and partial petitions containing 619 signatures.

The Petitions proposed an Amendment to the Charter of the City of Sandusky; whereby the City Manager and City Commission, shall not approve the sale, lease or private development on existing or future park property without approval by a majority of electors of the City at a general election. (Relators' Ex. 1 - *McCloskey Affidavit* ¶4,6 & Att. A-B)

At the next regularly scheduled City of Sandusky Commission meeting on or about August 8, 2022, Law Director, Mr. Heil advised the Commissioners in a recorded public meeting that the Petitions were not valid and did not meet legal requirements of Ohio Law and the City's Charter - stating in essence that the Petitions needed to include the full copy of the text in Sec 25 of the City Charter. (Relators' Complaint ¶2, Ex. 1 *McCloskey Affidavit* ¶7)

The Erie County Board of Elections verified the signatures although they were submitted after the deadline. 323 signatures were needed for the amendment to proceed to the ballot and the petitions have 466 valid signatures. Relators Ex. 1 - *McCloskey Affidavit* ¶ 10 & Att. E)

Notwithstanding the submission of 143 signatures over the requirement. Respondents (except the Erie County Board of Elections) have refused and continue to refuse to certify the Petitions with the proposed charter amendment to the board of elections for placement on the general election ballot to be presented to the electorate of City of Sandusky at the forthcoming general election, *i.e.*, on November 8, 2022. (Relators Ex. 1 - *McCloskey Affidavit* ¶12-13 & Att. C, Ex. 3 – Email from Law Dir. Heil to undersigned counsel and City of Sandusky Answer at ¶23)

The Respondent City Law Director failure to certify the sufficiency of the Petitions, despite his clear legal duty to do so, has prevented the submission of amending the City

Charter question to the electors at the November 8, 2022 general election. (Relators Ex. 1 - McCloskey Affidavit ¶12 & Atts. C- E, and Answer of the Erie County Board of Elections at ¶30)

For the reasons set forth below, Relators are entitled to a writ of mandamus compelling Respondent City Law Director Heil to certify the sufficiency of the Petitions Petition and present it to Respondents City Council to place it on the November 8, 2022, ballot for consideration by the voters of the City of Sandusky and have the ERIE COUNTY Board of Elections place it on the ballot.

JURISDICTION

This Court has original jurisdiction over the subject matter of this action and over Respondents pursuant to Section 2, Article IV of the Ohio Constitution, Chapter 2731 of the Ohio revised Code, and Rule XII of Rules of Practice of this Court.

STATEMENT OF FACTS

On November 7, 2000, Respondent City Council amended Sec. 25 of the City's Charter. (Relators' Ex. 4).

Relator SANDUSKIANS FOR SANDUSKY is an unincorporated association of individuals formed in order to lead and coordinate the effort to put forth a charter amendment to amend the Charter of the City of Sandusky, Sec. 25, paragraph 4 regarding expenditures: so as to require that the City Manager and City Commission, shall not approve the sale, lease or private development on existing or future park property without approval by a majority of electors of the City at a general election. (Complaint ¶2, Relators' Ex. 1 - McCloskey Affidavit at ¶3)

Relator, CRAIG McCLOSKEY II, at all relevant times is a resident and taxpayer in the City of Sandusky, Ohio, and is one of the members of SANDUSKIANS FOR SANDUSKY. (Complaint ¶3, Relators' Ex. 1 at ¶2)

Respondent CITY OF SANDUSKY, OHIO, is a municipal corporation organized and existing under the laws of the State of Ohio. Pursuant to R.C. 715.01, it is a body politic, capable of suing and being sued. (Answers of City of Sandusky et al and Erie County Board of Elections ¶ 4).

Respondent BRENDAN HEIL is the Law Director for the City of Sandusky and the City Commissioners of the City of Sandusky. Respondents DICK BRADY, DENNIS MURRAY, BLAKE HARRIS, MIKE MEINZER, STEVE POGGIALI, WES POOLE and DAVE WADDINTON are members of the City Council of the City of Sandusky as provided for in Section 3 of the Charter of the City of Sandusky. (Answers of City of Sandusky et al and Erie County Board of Elections ¶'s 5-12). ERIE COUNTY BOARD OF ELECTIONS government entity existing under the laws of the State of Ohio. (Answers of City of Sandusky et al and Erie County Board of Elections ¶'s 5-13).

The City of Sandusky is an Ohio charter municipality that has specific provisions for amending its' charter under §82 of the Coty of Sandusky Charter. (Relators' Ex. 2)

On or about August 3, 2022, Sanduskians for Sandusky filed with the Clerk of Council of the City of Sandusky, 21 whole and partial petitions containing 619 signatures. The Petitions proposed an amendment to the Charter of the City of Sandusky; whereby the City Manager and City Commission, shall not approve the sale, lease or private development on existing or future park property without approval by a majority of electors of the City at a general election. (Relators' Ex. 1 - McCloskey Affidavit, ¶4,6 & Att. A-B, Answers of City of Sandusky et al at ¶ 16).

At the next regularly scheduled City of Sandusky Commission meeting on or about August 8, 2022, law Director, Mr. Heil advised the Commissioners in a recorded public meeting that the Petitions were not valid and did not meet legal requirements of Ohio Law and the City's Charter - stating in essence that the Petitions needed to include the full copy of the text in Sec 25 of the City Charter. (Relators' Ex. 1 - McCloskey Affidavit ¶7, Answers of City of Sandusky et al at ¶ 17 and <https://www.youtube.com/watch?v=H90oEpDAY9o&list=PPSV>. – recording of the City of Sandusky Commission meeting on August 8, 2022).

The specific conversation at the regularly scheduled City of Sandusky Commission meeting on or about August 8, 2022 was:

31:42 of the video – Law Director Brendan Heil states “Thank you. On August 3rd 2022 the city received petitions for the submission of a proposed charter amendment that from appearances seeks to change the process for our how cities use park property to benefit our residents. The city is required to do two things at this time. It is required to submit for the signatures for verifications to the board of elections and we are in the process of doing that which gives us the total number of verified signatures. Additionally, the city has to review the petition the submitted petitions to make total number of verified signatures additionally the city has to review the petition the submitted petitions to make sure they follow all the procedural requirements laid out by the Ohio constitution our charter and Ohio statutory law. We have reviewed those in the legal department and we also asked outside legal counsel to take a look to make sure we were covering everything and checking and both the legal department and our outside legal counsel have come to the same conclusion and that is upon review the petitions do not meet the legal requirements necessary to submit the proposed charter amendment to the to the board of elections for the ballot. Specifically, the petition does not contain a full and correct copy of the text which is required by Ohio law and our charter petitions must strictly comply with this requirement. In order to be placed on the ballot, petitions receive the petitions received by the city do not as it only includes two sentences of potential new or amended language and not the full text of the proposed change. This legally binding requirement is to make sure a proposed amendment fairly and substantially presents the issue to electors in order to avoid misleading them. The law incorporates basically a common sense way to make sure that the voters when they're when they receive ballot language can understand what is being changed by the proposed amendment. The proposed amendment clearly violates this requirement as written. It's unclear if the amendment is meant to add language, repeal language or place language and it's unclear what if anything is supposed to be included. Therefore, the city will not be submitting these to uh for inclusion on

the ballot. Obviously, the city welcomes and encourages active citizen participation in our local self-governance including submission by citizen groups of charter amendment. The city also has a charter review commission and processes specifically for this purpose. The city encourages residents interested in changes to our charter to engage in that charter review process, as it is the best way to ensure the amendments achieve the goals of the community and also comply with any necessary legal requirements in order to actually be placed on the ballot.”

34:09 – City Manager Wobser states “Thank you, Mr. Heil.”

34:12 – Commissioner Poole states” Mr. Chairman”

34:13 – City Manager Wobser states “Commissioner Poole”

34:14 – Commissioner Poole stated “Mr. Heil, could you be more specific about what you’re talking about that wasn’t correct? So, we know what you’re talking about. I understand you said it was insufficient in all those words. What what sentence is what what description what you’re talking about if you would?”

34:26 – Law Director Heil states “The Ohio Revised Code which is incorporated specifically by our Charter requires that there be a full copy of the text seeking to be amended included in a proposed amendment to a charter. This does not include the full copy of the text of section 25 as required by law.

34:47 – Commissioner Poole states “They didn’t restate the charter that’s what that what you’re saying it’s not about a problem with what they asked whatever it is”

34:54 – Law Director Heil states “Sorry. We do not review for the actual policy change, we only review for procedural requirements”

34:57 – Commissioner Poole states “They were supposed to repeat section 25 of the Charter and they did not do that, is that what you’re saying?”

35:08 – Law Director Heil states “They would have had to include a full text of whatever amendment they’re seeking to it”

35:14 – Commissioner Poole states “Could you give us read the example of what you’re talking about and tell us what’s what’s missing if you would?”

35:18 - Law Director Heil states “I’m I’m a little loath to get into specific details and provide legal counsel in this public meeting”

35:25 – Commissioner Poole states “You can loathe all you like. The point is you’re asking us, you’re telling us that something citizens presented *and I haven’t seen it* so I don’t know what it says, that it was insufficient now. For the al...I don’t even know how many people signed it but you’re asking us to accept this. So just would you give us the synopsis, read what what are you talking about? Okay? Cause we can’t leave we should call we shouldn’t leave here”. (emphasis added)

35:48 – Commissioner Brady states “ Commissioner Poole, I think...I think our law directors explained that what they’re missing was they had to they had to cite the entire section that they wanted to be appealed and they did not do that. Now, I don’t know how you can get any more specific than that”

36:02 - Commissioner Poole states “That’s what I asked him. Is that what you said, that section?”

36:05 - Law Director Heil states “That’s what I’ve said twice’.

<https://www.youtube.com/watch?v=H90oEpDAY9o&list=PPSV>. Note that undersigned counsel attempted to download this video from YouTube and place it on a flash drive. However, it is undersigned counsel's understanding that YouTube does not allow the downloading of videos off of its site to be able to put it on a flash drive or otherwise submit electronically to the Court, except to include the above link.

The deadline to submit the Petitions for verification of signatures to the Erie County Board of Elections was August 10, 2022. The City of Sandusky submitted the Petitions to the Erie County Board of Elections on August 11, 2022 even though they received them on August 3, 2022. (Relator Ex. 1 - McCloskey Affidavit at ¶8 & Att. C-D, Answers of City of Sandusky et al and Erie County Board of Elections ¶ 19).

The Erie County Board of Elections verified the signatures although they were submitted after the deadline. 323 signatures were needed for the amendment to proceed to the ballot and the petitions have 466 valid signatures. (Relator Ex. 1 - McCloskey Affidavit at ¶ 10 & Att. E and Answers of City of Sandusky et al and Erie County Board of Elections ¶ 20).

Notwithstanding the submission of 143 signatures over the requirement. Respondents (except the Erie County Board of Elections) have refused and continue to refuse to certify the Petitions with the proposed charter amendment to the board of elections for placement on the general election ballot to be presented to the electorate of City of Sandusky at the forthcoming general election, *i.e.*, on November 8, 2022. (Relator's Ex. 1 - McCloskey Affidavit ¶12-13 & Att. C and Ex. 3 – Email from Law Dir. Heil to undersigned counsel)

On August 24, 2022, resident Craig McCloskey II, hand delivered a taxpayer-demand letter to Law Director, Brendan Heil requesting that he initiate a writ of mandamus pursuant to R.C. 733.58 and 733.59 et seq. At that time, Mr. Heil told Craig McCloskey II that as far as the City of Sandusky was concerned their obligation was finished. (Relator Ex. 1 - McCloskey Affidavit ¶13 & Att. F and Answers of City of Sandusky et al ¶ 22).

Additionally, in response to Relator's Craig McCloskey II's taxpayer-demand letter, the Law Director for the City of Sandusky, Ohio, wrote to undersigned counsel in an e-mail dated September 2, 2022:

Regarding your request that I, in my official capacity as the Law Director, file a mandamus action against the City Commission. *I will not be initiating a mandamus action against the City Commission as I have no legal duty to do so in this case.* Further, the Sandusky City Commission has not failed to act on a legal duty they are required to undertake. Therefore, there is nothing to support a mandamus action. (emphasis added)

(Relator's Ex. 3 – Email from Law Dir. Heil to undersigned counsel and Answers of City of Sandusky et al ¶ 23) This is a true and accurate copy of Law Director Heil's e-mail response to the taxpayer-demand letter is attached hereto as Exhibit 3. (Answers of Brendan Heil, City of Sandusky et al ¶ 24) Mr. Heil admits that he refused to bring the requested taxpayer action. (Answers of Brendan Heil, City of Sandusky et al ¶ 25)

LAW AND ARGUMENT

A. Standard of Review

In this case, Relators have acted with reasonable diligence and there has been no unreasonable delay or lapse of time in asserting their rights herein. Moreover, there is no prejudice to Respondents. See e.g., *State ex rel. Polo v. Cuyahoga Cty. Bd of Elections*, 74 Ohio St.3d 143, 145, (1995). (Relators' Ex. 1 - McCloskey Affidavit – *passim*)

According to this Court's clear precedent, a Writ of Mandamus will issue where: (i) there a clear legal right to the requested relief; (ii) a corresponding clear legal duty on the part of the Respondent; and (iii) and the lack of an adequate remedy in the ordinary course of the law. *State, ex rel. Heffelfinger v. Brunner*, 116 Ohio St.3d 172, 2007-Ohio-5838. The proximity of an impending election establishes the lack of an adequate remedy in the ordinary course of law. *State ex rel. Greene v. Montgomery Cty. Bd. of Elections*, 121 Ohio St.3d 631, 2009-Ohio-1716. (Complaint and Relators' Ex. 1 - *McCloskey Affidavit, passim*)

As for the remaining requirements, the standard is whether the Respondents have engaged in: ... fraud, corruption, or abuse of discretion, or acted in clear disregard of applicable legal provisions. *Whitman v. Hamilton Cty. Bd. of Elections*, 97 Ohio St.3d 216, 2002-Ohio-5923.

Accordingly, on these facts, Respondent. Law Director Heil and the City Commissioners have abused their discretion and acted in clear disregard of the law by failing to certify the sufficiency of Relators' petitions and failure to forward it to timely submit the Petitions to the Erie County Board of Elections so it could be presented to the voters at the November 8, 2022, general election.

The City of Sandusky has its own charter section regarding amendments to its charter. Accordingly, R.C. 731.28 through R.C. 731.41 do not apply to the Petitions that are at issue in this Writ.

Pursuant to §82 of the City of Sandusky Charter:

S 82 AMENDMENT OF CHARTER.

Amendments to this Charter may be submitted to the electors of the City by a 2/3 vote of the City Commission, and, upon petition signed by 10% of the electors of the City setting forth any such proposed amendment, shall be submitted by such City Commission. The ordinance providing for the

submission of any such amendment shall require that it be submitted to the electors at the next regular municipal election if one shall occur not less than 60 nor more than 120 days after its passage; otherwise it shall provide for the submission of the amendment at a special election to be called and held within the time aforesaid. Not less than 30 days prior to such election the Clerk of the City Commission shall mail a copy of the proposed amendment to each elector whose name appears upon the poll or registration books of the last regular municipal or general election. If such proposed amendment is approved by a majority of the electors voting thereon it shall become a part of the Charter at the time fixed therein.

(Relators' Exhibit 2)

In construing municipal-charter language, this Court has repeatedly held that the “general laws regarding statutory interpretation” apply, including “construing charter language according to its ordinary and common usage.” *State ex rel. Beard v. Hardin*, Slip Opinion No. 2018-Ohio-1286, ¶ 27 quoting *State ex rel. Paluch v. Zita*, 141 Ohio St.3d 123, 2014-Ohio-4529, 22 N.E.3d 1050, ¶ 21. This Court has further explained that when the language is “plain and unambiguous and conveys a clear and definite meaning there is no occasion for resorting to rules of statutory interpretation. [an] unambiguous statute is to be applied, not interpreted.” *Id.* quoting *Sears v. Weimer*, 143 Ohio St. 312 (1944).

This Court has held that:

The test for determining whether state and local laws conflict is " 'whether the ordinance permits or licenses that which the statute forbids * * *, and vice versa.' " (Ellipsis sic.) *Ohioans for Concealed Carry, Inc. v. Clyde*, 120 Ohio St.3d 96, 2008-Ohio-4605, 896 N.E.2d 967, ¶ 26, quoting *Struthers v. Sokol*, 108 Ohio St. 263, 1 Ohio Law Abs. 485, 2 Ohio Law Abs. 9, 140 N.E. 519 (1923), paragraph two of the syllabus. As respondents acknowledge, R.C. 731.32 has a requirement to file the ordinance to be referred to the city auditor before circulating any petitions, while the charter's initiative and referendum provisions do not. *See* R.C. 731.32; Whitehall City Charter, Sections 15 and 16(b). Put differently, the charter permits a person seeking to refer local legislation to the voters to collect signatures without first submitting the ordinance to the city auditor. The statute, on the other hand, forbids circulating the same petition without first submitting it to the auditor. Because the charter allows that which the statute prohibits, they conflict, and the charter controls.

Pennington v. Bivens, 2021-Ohio-3134, ¶ 21, 166 Ohio St. 3d 241, 246, 185 N.E.3d 41, 46-47.

The City of Sandusky Charter is devoid of any sections wherein it requires that petitions for amending its' charter meet certain requirements regarding the presentation of the petition.

The Charter for the City of Sandusky has a specific section for initiatives and referendum that follows Ohio laws. **“INITIATIVE AND REFERENDUM - S 65 STATE LAWS TO APPLY.** The provisions for the initiative and referendum in municipal corporations, now in force or hereafter enacted, as prescribed by the general laws of the State, shall govern.” (Relators’ Exhibit 5) The Petitions in question seek an amendment of the City Charter and not an initiative nor a referendum. Accordingly, §82 of the City of Sandusky Charter solely applies. Pursuant to §82 of the City of Sandusky Charter the Petitions comply with §82 and are required to be certified.

C. Relators are Entitled to Attorneys’ Fees

R.C. 733.59 provides:

If the village solicitor or city director of law fails, upon the written request of any taxpayer of the municipal corporation, to make any application provided for in sections 733.56 to 733.58 of the Revised Code, the taxpayer may institute suit in his own name, on behalf of the municipal corporation. Any taxpayer of any municipal corporation in which there is no village solicitor or city director of law may bring such suit on behalf of the municipal corporation. No such suit or proceeding shall be entertained by any court until the taxpayer gives security for the cost of the proceeding.

R.C. 733.61 allows a court, in its discretion, to award reasonable attorney fees to a successful taxpayer. *State ex rel. Commt. for the Charter Amendment Petition v. Avon*, 81 Ohio St.3d 590, 595, 693 N.E.2d 205 (1998).

Generally, when this court has awarded attorney fees under R.C. 733.61, it was because the respondent's actions were not reasonably supported by law. *See State ex rel. Commt. for the Charter Amendment, City Trash Collection v. Westlake*, 97 Ohio St.3d 100, 2002-Ohio-5302, 776 N.E.2d 1041, ¶ 46; *Avon* at 595-596. However, our precedent, including *Columbus Coalition for Responsive Govt.* and *Citizens for a Better Beachwood*, lent support to Bivens's position that the petitions were not sufficient because petitioners failed to comply with R.C. 731.32's requirement to file the certified ordinance with the city auditor before circulating the petition. We therefore deny the request for attorney fees.

Pennington v. Bivens, 2021-Ohio-3134, ¶¶ 33-35, 166 Ohio St. 3d 241, 249-50, 185 N.E.3d 41, 49

Herein, Law Director Heil failed upon the written request of taxpayer, Craig McCloskey II to make any application for a Writ of Mandamus. On or about August 8, 2022 (at a regularly scheduled Commission meeting) Law Director Heil advised the Commissions of the City of Sandusky that the Petitions were fatally flawed and did not comply with Ohio law and the City of Sandusky Charter. This caused the Petitions to not be certified and to be turned in late to the Erie County Board of Elections.

At the regularly scheduled City of Sandusky Commission meeting on or about August 8, 2022 Law Director Heil stated:

The city is required to do two things at this time. It is required to submit for the signatures for verifications to the board of elections and we are in the process of doing that which gives us the total number of verified signatures ...

We have reviewed those in the legal department and we also asked outside legal counsel to take a look to make sure we were covering everything and checking and both the legal department and our outside legal counsel have come to the same conclusion and that is upon review the petitions do not meet the legal requirements necessary to submit the proposed charter amendment to the to the board of elections for the ballot. Specifically, the petition does not contain a full and correct copy of the text which is required by Ohio law and our charter petitions must strictly comply with this requirement. In order to be placed on the ballot, petitions receive the petitions received by the city do not as it only includes two sentences of potential new or amended language and not the full text of the proposed change.

<https://www.youtube.com/watch?v=H90oEpDAY9o&list=PPSV>. at 31:42 - 34:08

Additionally, Law Director Heil states:

The Ohio Revised Code which is incorporated specifically by our Charter requires that there be a full copy of the text seeking to be amended included in a proposed amendment to a charter. This does not include the full copy of the text of section 25 as required by law.

Id. at 34:26 – 34:46. One commissioner admitted that “*I haven’t seen it so*”, referring to the Petitions. *Id.* at 35:25 – 35:47.

Furthermore, Law Director Heil turned in the Petitions a day late to the Erie County Board of Elections and informed the Erie County Board of Elections that the Petitions “are fatally defective because the petitions as submitted fail to comply with all the requirement of O.R.C. 731.31, the Ohio Constitution and the City of Sandusky’s Charter. Accordingly, the City will not be requesting that this petition be placed on the November ballot”. (Relators’ Ex. 1 - *McCloskey Affidavit* Again, leading to the Petition not being certified and placed on the ballot for the up-coming election on November 8, 2022.

Unlike in *Pennington v. Bivens* wherein this Court denied attorney fees based on prior precedent that was inconsistent with the decision in *Pennington v. Bivens*. Herein, Law Director Heil and the other City of Sandusky Respondents actions were not reasonably supported by law based on *Pennington v. Bivens*. Accordingly, Relators should be awarded attorney fees to be paid by all Respondents (except the Erie County Board of Elections).

CONCLUSION

Accordingly, for the reasons set forth above, Relators respectfully request this Court to issue a Writ of Mandamus to compel Respondents City of Sandusky Law Director Heil and the City of Sandusky Commissioners to certify the Petitions and recommend the

same for placement on the November 8, 2022. Issue a Writ of Mandamus requiring the Erie County Board of Elections to place the issue in the Petitions on the ballot for the on the November 8, 2022 election. This is dispute that they were submitted a day late, as this was out of Relators control and the fault of the City of Sandusky Law Director Heil.

Additionally, Relators request the Court to assess the costs of this action against all Respondents (except the Erie County Board of Elections).; order all Respondents (except the Erie County Board of Elections). To pay Relators their attorneys' fees and expenses, pursuant to R.C. 733.61; and award such other relief as may be appropriate.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the Merit Brief of Relators was sent via e-mail pursuant to S.Ct.Prac.R. 12.08 to the following on this the 12th day of August, 2022 to:

Benjamin Grant Chojnacki at bchojnacki@walterhav.com
Lisa Mack at lmack@walterhav.com
Brendan Heil at bheil@ci.sandusky.oh.us
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