

IN THE COURT OF APPEALS OF BROWN COUNTY, OHIO

STAT EO OF OHIO ex rel. **FILED**
DENNIS J. VARNAU, **COURT OF APPEALS** CASE NO. CA2009-02-010

Relator, **AUG 26 2009** ENTRY GRANTING SECOND MOTION
FOR STAY OF BRIEFING SCHEDULE

vs. :

TINA M. MERANDA
DWAYNE WENNINGER, **BROWN COUNTY CLERK OF COURTS**

Respondent. :

The above cause is before the court pursuant to a second motion for stay of briefing schedule filed by counsel for relator, Dennis J. Varnau, on August 6, 2009. No response to the motion has been filed by respondent, Dwayne Wenninger.

This court previously extended the briefing schedule in this matter until August 10, 2009 for the purpose of allowing the parties to complete discovery and file briefs. In the interim, additional discovery issues have arisen, and discovery has not been concluded. Relator has filed a motion for leave to file a delayed appeal, *State v. Wenninger*, Brown CA2009-07-026, and another original action, *State ex rel. Varnau v. Gusweiller, Judge*, Brown CA2009-07-027, both related to this original action.

Upon consideration of the foregoing, additional time to conclude discovery is appropriate. The discovery period in this matter is therefore EXTENDED to and including **September 30, 2009**. The brief of relator shall be filed with 14 days thereafter or on or before **October 14, 2009**.

IT IS SO ORDERED.


Bennett A. Manning, Magistrate