

IN THE SUPREME COURT OF OHIO

STATE OF OHIO)	
EX REL. Ohio Democratic Party, et al)	
)	CASE NO. 2020-0388
)	
RELATORS)	
)	
)	
v.)	
)	
Frank LaRose)	
)	
RESPONDENT)	

ORIGINAL ACTION IN PROHIBITION

EXPEDITED ELECTION CASE

MOTION FOR RECONSIDERATION FILED BY AMICUS CURIAE GERALD W. PHILLIPS AND THE OHIO CITIZENS FOR HONESTY INTEGRITY AND OPENNESS IN GOVERNMENT LTD. REGARDING THE RELATORS DISMISSAL DUE TO MOOTNESS

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MOTION FOR RECONSIDERATION

Now comes the Amicus Curiae Phillips and Ohio Citizens who although they agree that dismissal is warranted upon the well-established legal principles of “mootness”, they request that this Court grant their Motion for Reconsideration and rendered its opinion on the important issues herein this original action upon the well-established and settled exception to the “mootness” doctrine, “capable of repetition, yet evading review”, *Foster vs. Cuyahoga County Board of Elections* (1977) 53 O App 2nd 213, Syllabus 1 (“An election case is not moot even though no effective relief can be provided to a candidate or voter because the election has passed where the issues will persist and are likely to evade adequate review in the future because of the inherent time limitations in election controversies. The effect of construing the challenge statute and setting forth any constitutional limitations thereupon will be to simply future controversies under that statute. By simplifying future controversies there is an increased likelihood that effective relief can be provided to a candidate or voter in those future controversies”). *Storer vs. Brown* (1974) 415 US 724, 94 S.Ct. 1274, 39 LE 2nd 714. There are number of important issues which need resolution for the future but evaded review due to the occurrence of the herein “mootness”

Respectfully Submitted,

/s/ Gerald W. Phillips

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Proof of Service

A copy of the Amicus Motion has been served this 27th day of March 2020 by email to Counsels of Record as is indicated in the above caption.

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