

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

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| IN RE: |) | CONSOLIDATED CASE NO. 531703 |
| WELDING ROD CIVIL ACTIONS |) | |
| |) | JUSTICE FRANCIS E. SWEENEY |
| |) | |
| |) | <u>ORDER MANDATING ELECTRONIC</u> |
| |) | <u>FILING AND SERVICE IN ALL</u> |
| |) | <u>WELDING ROD CASES</u> |
| |) | |

I. GENERAL

A. Application of Order.

The Court hereby designates IN RE: WELDING ROD CIVIL ACTIONS (hereinafter referred to as Consolidated Case No. 531703) as subject to Electronic File and Electronic Service as described and governed by this Order. Consolidated Case No. 531703 is assigned to LexisNexis CourtLink, Inc. ("LNCL") and the LexisNexis @ File & Serve ("File & Serve") system.

All current parties to Consolidated Case No. 531703 pending in this Court shall be deemed to consent to the entry of this Order, and to be bound by its provisions.

With LNCL as the current provider for Electronic Service in Consolidated Case No. 531703, all current parties in Case No. 531703 shall continue to be bound by the LexisNexis CourtLink, Inc. LexisNexis File & Serve Agreement ("Agreement") with LNCL, previously entered into for Electronic Service. All future parties to Consolidated Case No. 531703 shall immediately enter into an agreement with LNCL in order to file and/or serve electronically in Consolidated Case No. 531703. Entering parties may contact File & Serve at 1-888-529-7587, or proceed directly to the subscription process at www.lexisnexis.com/fileandserve.

The effect of this Order is that Consolidated Case No. 531703 will transition from Electronic Service only to Electronic File and Electronic Service. The commencement date for the transition to the electronic filing and service system shall be October 17, 2005.

If any future case or party subject to Consolidated Case No. 531703 is not on the File & Serve system, information to include case name, case number, party name, representing attorney and firm must be provided to LexisNexis File & Serve Customer Support, 1-888-529-7587.

B. Service List and Sign-up.

Within 5 days of this Order, each attorney of record not already subscribed to File & Serve, or within 10 days of the entry of appearance for a new attorney of record, shall sign up for

electronic filing and service in this litigation by completing the application located at the website for LexisNexis File & Serve (Advanced) at www.lexisnexis.com/fileandserve.

II. ELECTRONIC FILING AND SERVICE

As of October 17, 2005, except as expressly provided herein, or as expressly authorized by the Court, all pleadings, motions, memoranda of law, declarations, order or other documents filed in Consolidated Case No. 531703 shall be filed and served electronically through the File & Serve system.

A. Electronic Filing

1. Parties may electronically file a document through the File & Serve system from the filing attorney's office or, in the event that a firm is unable to electronically file due to technical problems within the firm, the submitting party may file by faxing documents to the File & Serve system. LNCL shall then convert those documents to electronic form for submitting party to complete filing through the File & Serve system.

B. Electronic Service

1. All parties shall make service upon other parties electronically through the File & Serve system of all documents filed electronically through the File & Serve system. Any document not filed with the Court but requiring service to parties will be served electronically through the File & Serve system. Participants shall receive all documents electronically filed and electronically served upon them via the File & Serve system at their office.

C. Time For Filing and Effect of Use of Electronic Filing

Any pleading filed electronically shall be considered as filed with the Clerk when the transmission is completed ("authorized date and time"). Any document electronically filed with the Clerk by 11:59 p.m. ET shall be deemed filed with the Clerk on that date. However, for the purpose of computing time for any other party to respond, any document filed on a day or at a time when the Clerk is not open for business shall be deemed filed on the day and at the time of the next opening of the court for business.

D. Effect of Electronic Service

The electronic service of a document shall be considered as valid and effective service on all participants. Only documents served by 11:59 p.m. ET and only on days when the court is open for business shall be deemed to have been served on that day. Otherwise, the documents will be deemed served the next court day. Electronic service shall have the same effect as service.

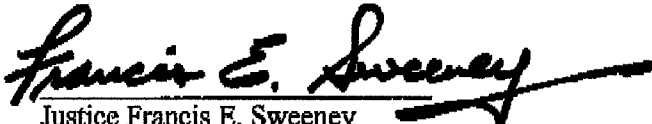
E. Electronic Filing and Service of Orders and Other Notices

The Clerk and the Court may issue, file and serve notices, orders, and other documents electronically, subject to the provisions of the Ohio Rules of Civil Procedure.

III. INCORPORATION OF CASE MANAGEMENT ORDER TO IMPLEMENT LEXISNEXIS FILE & SERVE FILED JULY 11, 2003.

The Court further adopts and incorporates the Case Management Order to Implement LexisNexis File & Serve, electronically filed July 11, 2003 (Attachment "A") to the extent said Order is applicable and does not contradict this Order.

IT IS SO ORDERED.


Justice Francis E. Sweeney
Cuyahoga County Court of Common Pleas

September 30, 2005