

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO
FILED DIVISION

ROSIE ANDUJAR, *et al.*

2005 AUG 24 P i: 42

CASE NO.: 05-CV-565095

Plaintiffs,

JUDGE STUART FRIEDMAN

WALD E. FUERST
CLERK OF COURTS
CUYAHOGA COUNTY

v.

BISHOP PILLA, *et al.*

Defendants.

**PLAINTIFFS' MOTION TO
DENY DEFENDANT ANTON
ZGOZNIK, INSTITUTIONAL
BUSINESS SOLUTIONS,
FORMERLY MONASTRA &
ASSOCIATES, INC.,
INSTITUTIONAL FINANCIAL
ADVISORS, AND ZGOZNIK &
ASSOCIATES MOTION TO
DISMISS COMPLAINT**

NOW COME Plaintiffs, by and through undersigned counsel, and hereby move to deny Defendant Anton Zgoznic, Institutional Business Solutions, formerly Monastræ & Associates, Inc., Institutional Financial Advisors, and Zgoznic & Associates Motion to Dismiss Complaint because Plaintiffs have standing to bring these claims against all Defendants and this Court has subject matter jurisdiction over the claims against all Defendants, based on the First Amendment to the United States Constitution. For purposes of judicial efficiency and in an effort to avoid duplication, Plaintiffs incorporate by reference the arguments in the Memorandums In Opposition to both Defendant Bishop Pilla's and Defendant Thomas J. Kelley's Motion to Dismiss Complaint. Thus, for the reasons more fully stated in the above referenced Memorandums, Defendants Motion to Dismiss should be denied.

Respectfully submitted,


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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Plaintiffs' Brief in Opposition to Defendants' Motion to Dismiss was served via ordinary U.S. mail on this 24 day of August 2005, on the following:

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