

May 7, 2009

*BY EMAIL AND  
FEDERAL EXPRESS*

Robert J. Triozzi, Esq.  
Director of Law  
City of Cleveland  
601 Lakeside Ave., Room 106  
Cleveland, Ohio 44114

**Re: Statutory Request to Bring Lawsuit**

Dear Mr. Triozzi:

This firm, along with the Alliance Defense Fund, represents Cleveland Taxpayers for the Ohio Constitution, an association of Cleveland taxpayers, and Dorothy McGuire, a Cleveland taxpayer, who are concerned over the unconstitutionality of the City's recent enactment of Chapter 109 of the Codified Ordinances of the City of Cleveland, creating a "Domestic Partnership Registry."

The City's registry violates Article XV, Section 11 of the Ohio Constitution, which prohibits a municipality from creating or recognizing a legal status for a relationship of unmarried individuals that intends to approximate the design, qualities, significance or effect of marriage. The registry gives legal recognition to a relationship between two adults who are cohabitating in a "committed relationship," who are not married to any other person, and who are not ineligible to be married in Ohio on the basis of consanguinity—qualities not characteristic of any legal status other than that of marriage.

The purpose of this letter is to request that your office institute an action in the Cuyahoga County Court of Common Pleas, pursuant to Ohio Revised Code § 733.56, seeking an injunction that would enjoin the City from the further abuse of its corporate powers entailed by the passage and enforced operation of the domestic partnership registry in violation of the Ohio Constitution.

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We ask on behalf of our clients that you would examine the legal issues implicated by the creation of the registry and respond expeditiously to this office as to your intended manner of proceeding in this matter.

Sincerely,



David R. Langdon

cc: Brian Raum, Esq.  
Alliance Defense Fund