

**FOR IMMEDIATE RELEASE**

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Ohio Lakefront Group

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## Lakefront Group Case Has Been Certified as a Class Action

Painesville, OH. Today Lake County Common Pleas Judge Eugene Lucci ordered that the lakefront case that is before him known as *Merrill et. al. v. State of Ohio* be certified as a Class Action. This means that all owners of property along the shore of Lake Erie, other than the state and its agencies, will be considered a part of this case and not merely the original 13 plaintiffs that filed the suit over two years ago.

A Stipulation was reached between the Ohio Lakefront Group and the Ohio Department of Natural Resources (ODNR) regarding class certification just hours before both parties were due in Court to argue whether the present case should be certified as a Class Action. Given today's ruling, the case's outcome will uniformly impact the approximate 14,000 parcels along the entire Lake Erie Shoreline in Ohio.

The Stipulation defines the Class as: "All persons, as defined in R.C. 1506.01(D), excepting the State of Ohio and any state agency as defined in R.C. 1.60, who are owners of littoral property bordering Lake Erie (including Sandusky Bay and other estuaries previously determined to be a part of Lake Erie under Ohio law) within the territorial boundaries of the State of Ohio."

"We are very pleased that the Judge accepted our Stipulation. We've argued all along that our complaint should be handled in an Ohio Court, and treated as a Class Action. It took us over two years to get here, but we're ready." said Tony Yankel, president of the Ohio Lakefront Group. "ODNR has been falsely claiming ownership of all property up to particular line of elevation it calls the Ordinary High Water Mark. All 14,000 parcels along the Lake Erie shoreline are impacted, not just those of the few people who originally filed the law suit."

Mr. Yankel pointed out that the Ohio Lakefront Group is a bipartisan grassroots organization of over 5,000 residential property owners along the Lake that are merely trying to have the language in their deeds honored. "We are pleased that after dragging this case out in State and Federal Court for two years that ODNR has seen fit to acknowledge the obvious—that we actually represented a Class of property owners. This Stipulation will save both us and the taxpayers of Ohio a great deal of money and effort. We're confident that Judge Lucci will agree with our arguments – and find that the State's ownership interest does not extend beyond the water's edge."

For more information, the Ohio Lakefront Group may be contacted at [www.ohiolakefrontgroup.com](http://www.ohiolakefrontgroup.com) , or at (440) 892-1222.

