

**IN THE COURT OF COMMON PLEAS
LAKE COUNTY, OHIO**

STATE OF OHIO EX REL.,)	
ROBERT MERRILL, TRUSTEE, et al.,)	Case No. 04CV001080
)	
Plaintiffs-Relators,)	Judge Eugene A. Lucci
)	
vs.)	
)	
STATE OF OHIO, DEPARTMENT OF NATURAL RESOURCES, et al.,)	<u>OHIO LAKEFRONT GROUP, INC.’S STATEMENT OF ADDITIONAL RELIEF SOUGHT ON COUNT I OF THE FIRST AMENDED COMPLAINT</u>
)	
Defendants-Respondents.)	
)	

Plaintiff Ohio Lakefront Group, Inc. (“Plaintiff”), on behalf of its members and other class representatives, and pursuant to order of the Court, submits the following description of additional relief sought on Count I of Plaintiffs’ First Amended Complaint which supplements the Statement of Remaining Claims and Issues submitted last fall.

Plaintiff requests that the Court issue a judgment making the declarations as set out in Count I, namely:

- a. Any current submerged land lease between ODNR and any of Plaintiffs is declared void and invalid as to any land below OHWM and above the natural shoreline or owned by Plaintiffs.
- b. ODNR lacks authority to compel Plaintiffs, or any one of them, to lease back property already owned by them as specified in their deeds, including without limitation lands lost due to avulsion and thus subject to reclamation by the owner.

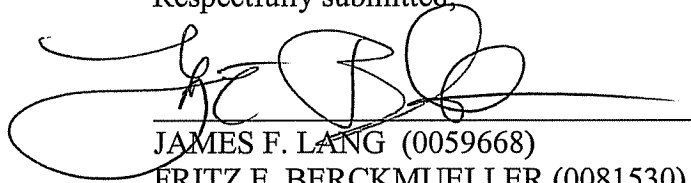
In addition, Plaintiff requests that the Court grant it the following injunctive relief:

- a. ODNR shall provide notice and guidance to the public and to governmental authorities that the natural shoreline as determined by the Ohio Supreme Court,

and not the OHWM, is the boundary of the Public Trust territory in Lake Erie, through statements on its websites and in printed publications, with the content and manner of distribution to be approved by Plaintiffs and the Court.

- b. ODNR shall return all submerged land lease fees for leases between OHW to the natural shoreline paid between 1998 to present. ODNR bears responsibility for calculating the total fees collected between 1998 and the present (subject to verification by Plaintiff), placing those funds in an interest bearing escrow account, and providing notice approved by Plaintiffs and the Court for class members to submit claims. After one year, the remaining, unclaimed fees in the escrow account along with accrued interest will be distributed as a cy pres award to an entity or entities chosen by Plaintiff and approved by the Court.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Lang', is written over a horizontal line. The signature is stylized and cursive.

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CERTIFICATE OF SERVICE

A copy of the foregoing **OHIO LAKEFRONT GROUP, INC.'S STATEMENT OF ADDITIONAL RELIEF SOUGHT ON COUNT I OF THE FIRST AMENDED COMPLAINT** was served, via email and regular U.S. mail, upon the following, this 1st day of June, 2012:

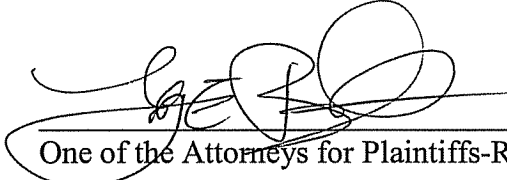
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