

IN THE COURT OF COMMON PLEAS  
FRANKLIN COUNTY, OHIO  
CIVIL DIVISION

<b>State ex rel.</b>	:	
<b>Ohio Attorney General</b>	:	Case No. 18-CV-007094
	:	
Plaintiff,	:	Judge Kimberly Cocroft
	:	
v.	:	
	:	
<b>William Lager, et al.</b>	:	
	:	
Defendants.	:	
	:	

**MEMORANDUM CONTRA OF DEFENDANTS ALTAIR LEARNING MANAGEMENT I, INC., IQ INNOVATIONS, LLC AND WILLIAM LAGER TO SCHOOL DISTRICTS’ MOTION TO INTERVENE FILED SEPTEMBER 24, 2018**

Defendants, Altair Learning Management I, Inc. (“Altair”), IQ Innovations, LLC (“IQ”), and William Lager (“Lager”) (collectively “Defendants”), oppose the Intervention Motion filed by the Logan-Hocking and Dayton City School Districts (collectively “Districts”). The Motion is improvident and flawed because the Districts each lack sufficient standing to prosecute the claims they tender in their proposed Intervenor Complaint. In addition, they fail to satisfy Ohio Civil Rule 24(A) and (B) in terms of the remoteness of their claims to the claims presented in this action and because they lack sufficient commonality with the presented claims. Further, allowing intervention would unnecessarily strain and complicate these proceedings. Intervention would provide no value. Intervention would certainly cause undue delay.

Leaving aside arguments dealing with the ability of the Ohio Attorney General to protect constituent interests and the conflict of interest issues raised, which are not directed to these

Defendants, the Defendants incorporate and rely on the balance of the arguments advanced by the Ohio Attorney General in its Memorandum Contra filed this date, which oppose intervention.

Based on the foregoing, the Districts simply lack proper basis under Ohio Civil Rule 24 to intervene in the present action. The Districts' attempt to intervene is improvident, insufficiently based and should be denied.

Respectfully submitted,

*/s/ Karl H. Schneider*

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**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and accurate copy of the foregoing was electronically filed on October 9, 2018, with the Clerk of Court using the electronic filing system, which will send notification of such filing to the following:

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