

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

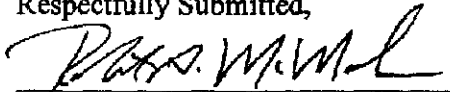
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PUCO

Leevetta Elder)	
1301 Vine Street, #3)	
Cincinnati, OH 45202)	
)	
Complainant,)	Case No. 09-405-EL-CSS
)	
v.)	
)	
Duke Energy Ohio, Inc.)	
)	
Respondent)	

**JOINT MOTION TO DISMISS COMPLAINT OF LEEVETTA ELDER AND
RESPONDENT DUKE ENERGY OHIO, INC**

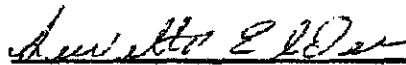
Complainant Leevetta Elder and Respondent Duke Energy Ohio, Inc. respectfully
request the Commission dismiss the above-captioned complaint with prejudice as the parties
have settled this matter and all issues raised in the complaint have been resolved.

Respectfully Submitted,



Robert A. McMahon (0064319)
Eberly McMahon LLC
2321 Kemper Lane, Suite 100
Cincinnati, OH 45206
513-533-3441
513-533-3554 Fax
bmcmahon@emh-law.com

Attorney for Respondent,
Duke Energy Ohio, Inc.



Leevetta Elder
1301 Vine Street, #3
Cincinnati, OH 45202

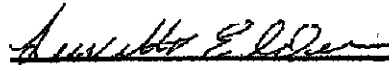
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MEMORANDUM IN SUPPORT

The parties have resolved all issues raised in the above styled complaint and reached a settlement that is to the satisfaction of both parties. Therefore, by agreement, the parties respectfully request this Commission dismiss the above captioned case with prejudice.

Respectfully Submitted,


Robert A. McMahon (0064319)
Eberly McMahon LLC
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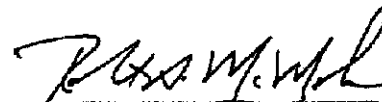

Leevetta Elder
1301 Vine Street, #3
Cincinnati, OH 45202

Attorney for Respondent,
Duke Energy Ohio, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Joint Motion to Dismiss, was served on the following by first class U.S. mail, postage prepaid, on this 25th day of October, 2010.

Leevetta Elder
1301 Vine Street, #3
Cincinnati, OH 45202


Robert A. McMahon