

FILED  
COURT OF CLAIMS  
OF OHIO

2014 SEP 12 PM 2:32

IN THE COURT OF APPEALS OF OHIO  
TENTH APPELLATE DISTRICT

James M. Fleming,	:	
	:	
Plaintiff-Appellant/ Cross-Appellee,	:	
	:	
v.	:	No. 13AP-942
	:	(Ct. of Cl. No. 2011-09365)
	:	
Kent State University,	:	(REGULAR CALENDAR)
	:	
Defendant-Appellee/ Cross-Appellant.	:	

JUDGMENT ENTRY

For the reasons stated in the decision of this court rendered herein on August 12, 2014, appellant's first and second assignments of error, and Kent State University's cross-assignment of error are overruled. Appellant's third assignment of error is sustained. It is the judgment and order of this court that the judgment of the Court of Claims of Ohio is affirmed in part, reversed in part, and this cause is remanded to that court for further proceedings in accordance with law and consistent with said decision. Costs assessed to Kent State University.

O'GRADY, J., SADLER, P.J., & TYACK, J.

By           /S/ JUDGE            
Judge Amy O'Grady

**ON COMPUTER**

Franklin County Ohio Court of Appeals Clerk of Courts- 2014 Aug 22 2:10 PM-13AP000942

Tenth District Court of Appeals

Date: 08-22-2014  
Case Title: JAMES M FLEMING -VS- KENT STATE UNIVERSITY  
Case Number: 13AP000942  
Type: JEJ - JUDGMENT ENTRY

So Ordered

*Amy*  *Amy C. O'Grady*

/s/ Amy C. O'Grady

Electronically signed on 2014-Aug-22 page 2 of 2

THE STATE OF OHIO }  
Franklin County, ss }  
I, MARYELLEN O'SHAUGHNESSY, Clerk  
OF THE COURT OF APPEALS  
WITHIN AND FOR SAID COUNTY,  
HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS TRULY TAKEN  
AND COPIED FROM THE ORIGINAL  
NOW ON FILE IN MY OFFICE. WITNESS MY HAND AND SEAL OF SAID  
COUNTY THIS 22 DAY OF Aug, A.D. 2014  
MARYELLEN O'SHAUGHNESSY, Clerk  
By A.S.O. Deputy