

**ORIGINAL**

FILED  
COURT OF CLAIMS  
OF OHIO

**IN THE COURT OF CLAIMS OF OHIO**

2014 DEC 31 PM 3:11

**TRANSAMERICA BUILDING COMPANY, :  
INC., :**

**Case No. 2013-00349**

**Plaintiff, :**

**Judge McGrath**

**v. :**

**Referee Wampler**

**OHIO SCHOOL FACILITIES :  
COMMISSION, nka Ohio Facilities :  
Construction Commission, :**

**Defendant. :**

**PLAINTIFF TRANSAMERICA BUILDING COMPANY, INC.'S  
DECEMBER 2014 AMENDED PRETRIAL STATEMENT**

TransAmerica Building Company, Inc. ("TransAmerica") amends its previous Pretrial Statement filed on September 5, 2014 to include the following additional witnesses and exhibits.

**ADDITIONAL WITNESSES**

- Joe Rice - Lend Lease Project Superintendent
- Tim Calvey – Calvey Consulting, LLC

TransAmerica reserves the right to call Mr. Calvey in the event the OSFC challenges the assistance Mr. Calvey provided to Mr. McCarthy regarding his October 24, 2014 Supplemental Expert Report. Mr. Calvey's testimony could include topics discussed in his upcoming deposition requested by the OSFC and his involvement in the creation of the As-Built Schedule included in the McCarthy Supplemental Report.

**ADDITIONAL EXHIBITS**

- Settlement agreement(s) entered into by the OSFC and Lend Lease, in particular the July 2014 Settlement Agreement and Release for the Wheelersburg Local School District Project.

These settlement agreements illustrate a routine custom and practice of the OSFC and its agents handling of prime contractor claims other than in a good faith and fair dealing fashion. This settlement payment arose from the scheduling and administration duties of the same key Lend Lease personnel that worked on the Ohio School for Deaf and Ohio State School for Blind Project.

**ON COMPUTER**

Respectfully submitted,



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*Attorneys for TransAmerica Building Company, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Pretrial Statement was sent via e-mail and by regular U.S. mail, postage prepaid, this 31st day of December, 2014 to:

William C. Becker  
Jerry K. Kasai  
Craig D. Barclay  
Assistant Attorneys General  
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150 East Gay Street, 18th Floor  
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