



Court of Claims of Ohio

The Ohio Judicial Center
65 South Front Street, Third Floor
Columbus, OH 43215
614.387.9800 or 1.800.824.8263
www.cco.state.oh.us

TRANSAMERICA BUILDING
COMPANY, INC.

Plaintiff/Counter Defendant

v.

OHIO SCHOOL FACILITIES
COMMISSION, etc.

Defendant/Counter
Plaintiff/Third-Party
Plaintiff/Counter Defendant

v.

LEND LEASE (US) CONSTRUCTION,
INC.

Third-Party Defendant/Counter
Plaintiff/Fourth-Party Plaintiff

and

STEED HAMMOND PAUL INC., etc.

Third-Party
Defendant/Fourth-Party Plaintiff

v.

BERARDI PARTNERS, INC., et al.

Fourth-Party Defendants

Case No. 2013-00349

Referee Samuel Wampler

ORDER OF THE REFEREE

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This action was tried to the court on May 18-June 4, 2015. On June 2, 2015, plaintiff TransAmerica Building Co., Inc. rested its case against defendant Ohio School

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Facilities Commission, whereupon defendant moved for dismissal pursuant to Civ.R. 41(B)(2). Upon careful consideration, defendant's motion to dismiss was DENIED.

Further, plaintiff moved to dismiss its Seventh Claim for Relief, Negligence, as set forth in its Amended Complaint. Plaintiff's request for dismissal was GRANTED pursuant to Civ.R. 41(A)(2), reserving plaintiff's right to appeal the previous dismissal of its claims for fraud, fraud in the inducement and negligent misrepresentation as a result of the court's April 9, 2015 Judgment Entry.


SAMUEL WAMPLER
Referee

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