

ORIGINAL

FILED
COURT OF CLAIMS
OF OHIO

2016 MAR 24 PM 3:42

IN THE COURT OF CLAIMS OF OHIO

TRANSAMERICA BUILDING COMPANY, :
INC., :

Plaintiff, :

v. :

OHIO SCHOOL FACILITIES :
COMMISSION, :

Defendant/Third-Party :
Plaintiff, :

v. :

STEED HAMMOND PAUL, INC. dba :
SHP LEADING DESIGN, :

Third-Party Defendant, :

and :

LEND LEASE (US) CONSTRUCTION INC., :

Third-Party Defendant/Third :
(Fourth) Party Plaintiff, :

v. :

G. STEPHENS, INC., :

Third-Party (Fourth-Party) :
Defendant. :

Case No. 2013-00349

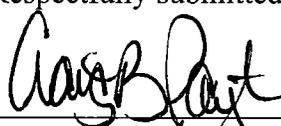
Judge Patrick M. McGrath

Referee Samuel Wampler

**MOTION FOR THE COURT TO APPROVE CONSENT DISMISSAL,
WITH PREJUDICE, OF LEND LEASE (US) CONSTRUCTION INC.'S
CLAIMS AGAINST G. STEPHENS, INC.**

Now comes the Third-Party Defendant/Third (Fourth) Party Plaintiff Lend Lease (US) Construction Inc. ("Lend Lease"), with the consent and approval of G. Stephens, Inc., and moves the Court to approve the Consent Dismissal of Lend Lease claims with prejudice and to assess costs and terminate their accrual against Lend Lease and G. Stephens, Inc. for the remainder of the case. The claims of these parties are now fully settled and resolved. Attached to this Motion is a draft copy of the proposed Consent Dismissal Entry.

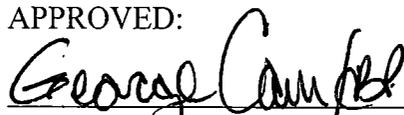
Respectfully submitted,



Craig B. Paynter (0023419)
cpaynter@taftlaw.com
James D. Abrams (0075968)
jabrams@taftlaw.com
Celia M. Kilgard (0085207)
ckilgard@taftlaw.com
Taft Stettinius & Hollister LLP
65 East State Street, Suite 1000
Columbus, Ohio 43215-4213
Telephone: (614) 221-2838
Facsimile: (614) 221-2007

*Attorneys for Third-Party Defendant/Third (Fourth)
Party Plaintiff Lend Lease (US) Construction Inc.*

APPROVED:



George Carr (0069372) (Approved via email on February 5, 2016)
Janik LLP
9200 South Hills Boulevard, Suite 300
Cleveland, Ohio 44147
Telephone: (440) 838-7600
Facsimile: (440) 838-7601
George.Carr@Janiklaw.com
Attorney for Third-Party (Fourth-Party) Defendant G. Stephens, Inc.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **MOTION FOR THE COURT TO APPROVE CONSENT DISMISSAL, WITH PREJUDICE, OF LEND LEASE (US) CONSTRUCTION INC.'S CLAIMS AGAINST G. STEPHENS, INC.** was served by regular U.S. Mail, postage prepaid, this 24th day of March 2016, upon the following:

Donald W. Gregory
Michael J. Madigan
Kegler Brown Hill & Ritter Co., LPA
65 East State Street, Suite 1800
Columbus, Ohio 43215
*Attorneys for Plaintiff
TransAmerica Building Company, Inc.*

William C. Becker
Craig Barclay
David Beals
Assistant Attorneys General
Mike DeWine
Ohio Attorney General
150 East Gay Street, 18th Floor
Columbus, Ohio 43215-3130
*Attorneys for Defendant/Third-Party
Plaintiff Ohio School Facilities
Commission*

David M. Rickert
Dunlevey Mahan & Furry
110 North Main Street
Dayton, Ohio 45402-1738
Attorney for Third-Party Defendant SHP

George Carr, Of Counsel
Janik LLP
9200 South Hills Boulevard, Suite 300
Cleveland, Ohio 44147
*Attorney for Third-Party (Fourth-Party)
Defendant G. Stephens, Inc.*

Bradley J. Barmen
Mannion & Gray Co., LPA
1375 East 9th Street, 16th Floor
Cleveland, Ohio 44114
*Attorney for Fourth-Party Defendant
Berardi Partners, Inc.*



Craig B. Paynter

IN THE COURT OF CLAIMS OF OHIO

TRANSAMERICA BUILDING COMPANY, INC.,

Plaintiff,

v.

OHIO SCHOOL FACILITIES COMMISSION,

Defendant/Third-Party Plaintiff,

v.

STEED HAMMOND PAUL, INC. dba SHP LEADING DESIGN,

Third-Party Defendant,

and

LEND LEASE (US) CONSTRUCTION INC.,

Third-Party Defendant/Third (Fourth) Party Plaintiff,

v.

G. STEPHENS, INC.,

Third-Party (Fourth-Party) Defendant.

Case No. 2013-00349

Judge Patrick M. McGrath

Referee Samuel Wampler

LEND LEASE (US) CONSTRUCTION INC.'S CONSENT DISMISSAL OF ITS CLAIMS AGAINST G. STEPHENS, INC. WITH PREJUDICE

Lend Lease (US) Construction Inc. ("Lend Lease") hereby dismisses its claims against G. Stephens, Inc. WITH PREJUDICE. Each party shall bear its own costs; no further costs to be assessed to these dismissed parties.

Date

PATRICK M. MCGRATH, JUDGE

APPROVED:



Craig B. Paynter (0023419)
Taft Stettinius & Hollister LLP
65 East State Street, Suite 1000
Columbus, Ohio 43215-4213
Telephone: (614) 221-2838
Facsimile: (614) 221-2007
cpaynter@taftlaw.com

*Attorneys for Third-Party Defendant/Third (Fourth) Party Plaintiff, Lend Lease (US)
Construction Inc.*



George Carr (0069372) (Approved via email on February 5, 2016)
Janik LLP
9200 South Hills Boulevard, Suite 300
Cleveland, Ohio 44147
Telephone: (440) 838-7600
Facsimile: (440) 838-7601
George.Carr@Janiklaw.com

Attorney for Third-Party (Fourth-Party) Defendant G. Stephens, Inc.

Copies to:

Donald W. Gregory

Michael J. Madigan

Attorneys for Plaintiff Transamerica Building Company, Inc.

William C. Becker

Craig Barclay

David Beals

Attorneys for Defendant/Third-Party Plaintiff Ohio School Facilities Commission

David M. Rickert

Attorney for Third-Party Defendant SHP

Bradley J. Barmen

Attorney for Fourth-Party Defendant Berardi Partners, Inc.