

IN THE COURT OF CLAIMS OF OHIO  
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DUGAN & MEYERS CONSTRUCTION  
CO., INC., et al.

Plaintiffs

v. JUDGMENT ENTRY

STATE OF OHIO DEPARTMENT  
OF ADMINISTRATIVE SERVICES,  
et al.

Defendants

: : : : : : : : : : : : : : : :

{¶ 1} On October 28, 2003, this court issued a judgment entry in favor of plaintiffs, Dugan & Meyers Construction Co., Inc., (D&M), J.A. Croson, Inc., and Teepe River City Mechanical, Inc.<sup>1</sup> On July 29, 2005, the court of appeals issued a judgment entry which states, in relevant part:

{¶ 2} “\*\*\* The judgment of the Ohio Court of Claims is affirmed as to the reverse back charge award [to D&M] of \$264,340 (which was not assigned as error by appellants) and the court’s assessment of prejudgment interest thereon at a rate of ten percent per annum. It is the order and judgment of this court that the judgment of the Ohio Court of Claims is reversed in all other respects, and is remanded to that court with instructions to enter a new judgment consistent with this opinion. \*\*\*”

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On June 10, 2004, J.A. Croson, Inc. and Teepe River City Mechanical, Inc., and defendants filed settlement papers which were approved by this court on June 25, 2004.

{¶ 3} In accordance with the judgment of the court of appeals, judgment is hereby rendered in favor of plaintiff, D&M, in the total amount of \$364,307.25, which is comprised of \$264,340 for the reverse back charge plus \$99,942.25 in prejudgment interest calculated at the rate of ten percent per annum from January 17, 2000, to the date of this court's October 28, 2003, judgment entry, and the \$25 filing fee. Court costs are assessed against defendants. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

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J. WARREN BETTIS  
Judge

Entry cc:

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**[Cite as *Dugan & Meyers Constr. Co., Inc. v. Ohio Dept. of Admin. Serv.*, 2005-Ohio-7017.]**

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HTS/cmd

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