

[Cite as *Shechet v. Cleveland State Univ.*, 2005-Ohio-3071.]

IN THE COURT OF CLAIMS OF OHIO

ARLENE SHECHET :
Plaintiff :
v. : CASE NO. 2005-02265-AD
CLEVELAND STATE UNIV. : MEMORANDUM DECISION
Defendant :

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THE COURT FINDS THAT:

{¶ 1} 1) On February 2, 2005, plaintiff, Arlene Shechet, filed a complaint against defendant, Cleveland State University, alleging her art pieces were damaged while under the control and care of defendant. Plaintiff sought damages in the amount of \$1,375.00 for unreimbursed compensation. Plaintiff submitted the filing fee with the complaint;

{¶ 2} 2) On April 13, 2005, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered unrecovered damages in the amount of \$1,000.00;

{¶ 3} 3) On April 29, 2005, plaintiff filed a response expressing agreement with defendant that her unrecovered damages amount to \$1,000.00.

THE COURT CONCLUDES THAT:

{¶ 4} 1) I find, by a preponderance of the evidence, negligence by defendant has been shown. *Baisden v. Southern Ohio Correctional Facility* (1977), 76-0617-AD; *Stewart v. Ohio National Guard* (1979), 78-0342-AD;

{¶ 5} 2) Plaintiff has suffered damages in the amount of \$1,000.00, plus the \$25.00 filing fee, which may be reimbursed as compensable damages pursuant to the holding in *Bailey v. Ohio*

Department of Rehabilitation and Correction (1990), 62 Ohio Misc.
2d 19.

IN THE COURT OF CLAIMS OF OHIO

ARLENE SHECHET	:	
Plaintiff	:	
v.	:	CASE NO. 2005-02265-AD
CLEVELAND STATE UNIV.	:	<u>ENTRY OF ADMINISTRATIVE</u>
Defendant	:	<u>DETERMINATION</u>

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

Having considered all the evidence in the claim file and, for the reasons set forth in the memorandum decision filed concurrently herewith, judgment is rendered in favor of plaintiff in the amount of \$1,025.00, which includes the filing fee. Court costs are assessed against defendant. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

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52 White Street
New York, New York 10013

Plaintiff, Pro se

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For Defendant

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