

**IN THE COURT OF CLAIMS OF OHIO**

IN RE: SCOTT WAYNE ERDMAN

Case No. 2023-00629VI

SCOTT WAYNE ERDMAN

Judge Lisa L. Sadler

Applicant

ORDER

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{¶1} On January 17, 2024, a hearing was held in this matter before a Magistrate of this court. On February 2, 2024, the Magistrate issued a Decision wherein she found that the Attorney General’s (“AG”) original economic loss calculations contained errors in the federal tax calculations. However, despite these errors, the Magistrate further found that the AG did correctly consider applicant’s net income when making economic loss calculations, and that applicant’s claim for attorney’s fees was properly denied because it did not constitute an allowable expense pursuant to R.C. 2743.51(F)(5)(b). The Magistrate recommended that the Final Decision of the AG be reversed and that the claim be remanded to the AG for economic loss calculations.

{¶2} Civ.R. 53(D)(3)(b)(i) states, in part: “A party may file written objections to a magistrate’s decision within fourteen days of the filing of the decision, whether or not the court has adopted the decision during that fourteen-day period as permitted by Civ.R. 53(D)(4)(e)(i).” No objections were filed.

{¶3} Upon review of the claim file, and the Magistrate’s Decision, it is the Court’s finding that the Magistrate was correct in her analysis of the issues and application of the law. Accordingly, this court adopts the Magistrate’s Decision and recommendation as its own.

IT IS HEREBY ORDERED THAT

{¶4} The February 2, 2024 Decision of the Magistrate is ADOPTED;

{¶5} This claim is REMANDED and judgment entered for applicant;

{¶6} Costs assumed by the reparations fund.

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LISA L. SADLER  
Judge

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