

Wooldridge, John

From: Wooldridge, John
Sent: Thursday, February 16, 2023 4:31 PM
To: Avery Young; Allen, Justine
Cc: Heim, Kimber
Subject: RE: FAI 37-6.10 Parcels 1-SH1, 1-SH2, 1-T

Thanks Avery,

I discussed with Kimber. Can we please discuss early or middle of next week? A Teams meeting is fine unless you would both be at REA/RSM meeting on Tuesday in CO (I doubt that). Our Availability is T-21=3-4pm, W-22=8-10am, or T-23=8-9am, 10-1pm, or 2-5pm. We may also be open Friday 24th if needed.

When is the appeal deadline (how many days from verdict)?

Some of the appellate issues we want to inquiry about include:

- Sustained Objection RE: Asbestos Report and Testimony.
- Overruled Objection RE: Act (Parcel 2) Appraisal and Valuation (\$85K/AC).
 - Prejudicial as evidenced by Juror discussion after trial stating that the ‘neighbor got \$85,000.00 per acre’ which was ‘persuasive.’
- Jury Instructions related to B3 Zoning Objection RE: The B3 existing, etc.
- Appeal or possibly Move for a Mistrial if allowable after verdict: RE Possible Perjury Testimony by Witness Eichhorn.
 - Date or time of knowledge of the take being at offer in 2021.
 - Possible misrepresentation of Annexation into Village of Baltimore.
 - Availability of Utilities, specifically Sewer.
 - Reasons and timing for removal of roof.
 - Contradiction of Insurance testimony.
 - Stories regarding renovations.

We would like to discuss these before we perform additional tasks to support such claims. Depending on those discussion with you and the information obtainable, we may like to appeal the case.

On another note, ODOT plans to have you challenge and defend the request for attorney’s fees if made based on their evidence of the separate larger parcel “A” being Commercial, not Agricultural. Thank you and have a nice evening.

Respectfully,

John R. Wooldridge

Real Estate Administrator

ODOT District 5

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From: Avery Young <Avery.Young@OhioAGO.gov>
Sent: Thursday, February 16, 2023 10:09 AM
To: Wooldridge, John <John.Wooldridge@dot.ohio.gov>; Allen, Justine <Justine.Allen@OhioAGO.gov>
Cc: Heim, Kimber <Kimber.Heim@dot.ohio.gov>
Subject: FAI 37-6.10 Parcels 1-SH1, 1-SH2, 1-T

John,

Following the jury verdict yesterday of \$112,472.50, I need to ask if you would like to appeal the case. I am not currently aware of any appealable issues, but we can discuss if necessary. Let me know, thanks!



Avery T. Young (he/him/his)
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