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2021 NOV -9 PM 2:02
BRANDEN C. MEYER
CLERK OF COURTS
FAIRFIELD CO. OHIO**IN THE COMMON PLEAS COURT OF FAIRFIELD COUNTY, OHIO**

Jack Marchbanks, Director	:	CASE NO. 21CV457
Ohio Department of Transportation	:	
Plaintiff	:	JUDGE DAVID A. TRIMMER
	:	<u>Jury Demand Endorsed Hereon</u>
v.	:	<u>Request for Mediation Endorsed Hereon</u>
Eichhorn Limited Partnership, et al.,	:	
Defendants.	:	

**DEFENDANT EICHHORN LIMITED PARTNERSHIP'S ANSWER TO PLAINTIFF'S
PETITION TO APPROPRIATE PROPERTY AND TO FIX COMPENSATION**

NOW COMES Defendant, Eichhorn Limited Partnership ("Defendant"), by and through undersigned counsel, and hereby states and affirms the following answers to Plaintiff's Petition to Appropriate Property and to Fix Compensation ("Petition"), filed on October 6, 2021, and served upon Defendant on October 12, 2021, as follows:

1. Defendant admits it is the owner of real property described in the Petition.
2. Defendant admits that Plaintiff has brought an action to appropriate property owned by Defendant.
3. Defendant denies each and every allegation of Plaintiff's Petition not specifically admitted herein.

WHEREFORE, Defendant prays for the following:

- a. That a jury be impaneled to assess just compensation for the property taken,
and damage to the residue, if any;
- b. The costs of this action; and

c. For such other, further relief as this Court may deem necessary and proper.

Respectfully submitted,

Goldman Braunstein Stahler Kenter LLP

/s/ Aaron E. Kenter

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Attorneys for Defendant

Eichhorn Limited Partnership

JURY DEMAND

Defendant demands this cause be tried to a jury of eight (8).

/s/ Aaron E. Kenter

Aaron E. Kenter (0092264)

Attorney for Defendant

Eichhorn Limited Partnership

REQUEST FOR MEDIATION

Defendant, pursuant to R.C. § 163.051, hereby requests that the issue of the value of the property, which is the subject of this lawsuit, and damage to the residue, if any, be submitted to nonbinding mediation.

/s/ Aaron E. Kenter

Aaron E. Kenter (0092264)

Attorney for Defendant

Eichhorn Limited Partnership

CERTIFICATE OF SERVICE

I hereby certify that on November 9, 2021, the foregoing was served on the following via electronic mail or regular U.S. Mail:

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/s/ Aaron E. Kenter

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Fax Transmission

To: Fairfield County Clerk of Courts

From: Goldman Braunstein Stahler Kenter LLP

Fax: 17406870158

Date: 11/9/2021 12:45:33 PM EST

RE: Jack Marchbanks, Director, ODOT v. Eichhorn Lim **Pages:** 5

Comments:

Case No. 21 CV 457

Judge David A. Trimmer

Dear Clerk of Courts:

Thank you for your assistance in filing DEFENDANT EICHHORN LIMITED PARTNERSHIP S ANSWER TO PLAINTIFF S PETITION TO APPROPRIATE PROPERTY AND TO FIX COMPENSATION, in Case No. 21 CV 457.

If you have any questions, please do not hesitate to contact us.

Thank you.

Respectfully submitted,

Goldman Braunstein Stahler Kenter LLP

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