

Wooldridge, John

From: Avery Young <Avery.Young@OhioAGO.gov>
Sent: Tuesday, February 28, 2023 11:31 AM
To: Wooldridge, John; Heim, Kimber
Cc: Allen, Justine; Corinna Efke
Subject: Motion for Statutory Costs; FAI 37-6.10 Parcels 1-SH1, 1-SH2, 1-T
Attachments: D's Motion to Tax Statutory Costs_Eichhorn LP.pdf

John,

Please see the attached Motion that opposing counsel has filed to recover statutory costs of \$24,400.62 for court costs and attorney's fees. This would be additional funds on top of the verdict of \$112,472.50. Justine and I have discussed this issue with our office and done additional research on the issue. We have come to the conclusion based on a close reading of R.C. 163.21, that Mr. Eichhorn's property does in fact qualify for the additional costs given its current agricultural use and its designation of CAUV on the Fairfield County Auditor's website. Due to this information we are not able to oppose the payment of these costs due to there being no legal argument against the request.

The only thing we could potentially contest on this issue would be the specific dollar amount. We have reached out to opposing counsel to get an itemized list of their fees. Once we get that information we will review it for accuracy and will update you once that is done.

Let us know if you have any questions. Thanks!



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