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**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

JANINE LYCAN, INDIVIDUALLY AND ON BEHALF
OF ETC.

Plaintiff

CITY OF CLEVELAND

Defendant

2018 SEP 13 A 9 37

CLERK OF COURTS
CUYAHOGA COUNTY

Case No: CV-09-686044

Judge: JOSEPH D RUSSO

JOURNAL ENTRY

89 DIS. W/PREJ - FINAL

THIS CAUSE CAME FOR FINAL HEARING IN OPEN COURT ON AUGUST 1, 2018. ALL PARTIES WERE REPRESENTED BY COUNSEL. THE PARTIES STIPULATED THAT THE REQUIREMENTS OF THIS COURT'S NOTICE PLAN HAD BEEN FULFILLED. NO OBJECTORS APPEARED TO BE HEARD; THE COURT NOTED WRITTEN NOTICE RECEIVED FROM CLASS MEMBER, JEFFREY KAHN. TWO CLASS MEMBERS APPEARED IN SUPPORT OF THE FINAL APPROVAL. THE PARTIES OFFERED THEIR STIPULATIONS, WHICH WERE ACCEPTED BY THE COURT AND FILED THAT AFTERNOON. THE PARTIES WERE FURTHER AFFORDED THE OPPORTUNITY TO PRESENT ADDITIONAL BRIEFING ON ANY REMAINING LEGAL ISSUES, INCLUDING THE FULL SCOPE OF THE RESTITUTION OWED AND WHETHER INTEREST IS RECOVERABLE.

THE COURT HAS NOW FULLY CONSIDERED THE STIPULATIONS AND EVIDENCE THAT HAVE BEEN SUBMITTED, AS WELL AS THE BRIEFS AND ARGUMENTS OF COUNSEL, AND HAS FURTHER DRAWN UPON ITS OWN EXPERIENCE THROUGH THE LONG COURSE OF THIS CLASS ACTION LITIGATION.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED THAT FINAL JUDGMENT IS ENTERED IN FAVOR OF THE NAMED PLAINTIFFS AND THE CLASS MEMBERS IN THE TOTAL AMOUNT OF \$4,121,185.89, AS RESTITUTION FOR THE CIVIL FINES AND PENALTIES THAT WERE WRONGFULLY COLLECTED AND WITHHELD BY DEFENDANT. THE COURT FINDS THAT INTEREST BASED UPON THE REASONABLY ANTICIPATED GAINS FROM THESE MISAPPROPRIATED FUNDS IS NOT RECOVERABLE IN THIS ACTION.

FROM THIS TOTAL AWARD, A THIRTY-FIVE PERCENT CONTINGENCY FEE SHALL BE PAID TO CLASS COUNSEL (BASHEIN & BASHEIN CO., L.P.A.; PAUL W. FLOWERS, CO., L.P.A.; AND THE DICKSON FIRM, L.L.C.), IN ADDITION TO REIMBURSEMENT OF LITIGATION EXPENSES OF \$50,000.00. THIS COURT FINDS THAT THESE FEES ARE REASONABLE, NECESSARY, AND APPROPRIATE IN LIGHT OF THE RISKS THAT WERE UNDERTAKEN, THE CONSIDERABLE MAGNITUDE OF THE WORK PERFORMED AND TO BE PERFORMED ON BEHALF OF THE CLASS, AND THE SUCCESSFUL RESULT THAT WAS ACHIEVED.

BECAUSE OF THEIR OWN EFFORTS ON BEHALF OF THE CLASS, EACH OF THE SIX NAMED PLAINTIFFS (JANINE LYCAN; THOMAS PAVLISH; JEANNE TASK; LINDSEY CHARNA; KEN FOGLE; AND JOHN T. MURPHY), SHALL RECEIVE ADDITIONAL INCENTIVE AWARDS OF \$10,000.00 EACH FROM THE CLASS RECOVERY.

SEVEN YEARS FROM THE DATE OF THE TERMINATION OF THIS LITIGATION AND APPEALS, ANY UNDISTRIBUTED AMOUNTS REMAINING IN THE CLASS RECOVERY SHALL BE TRANSMITTED TO THE OHIO DEPARTMENT OF UNCLAIMED FUNDS IN ACCORDANCE WITH LAW.

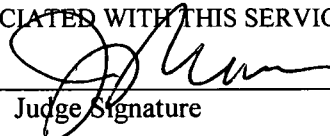
ANY REMAINING CLAIMS HAVE BEEN RENDERED MOOT AND ARE DISMISSED WITH PREJUDICE.

THIS ORDER IS FINAL.

COURT COSTS SHALL BE ASSESSED TO DEFENDANT.

COURT COST ASSESSED TO THE DEFENDANT(S).

PURSUANT TO CIV.R. 58(B), THE CLERK OF COURTS IS DIRECTED TO SERVE THIS JUDGMENT IN A MANNER PRESCRIBED BY CIV.R. 5(B). THE CLERK MUST INDICATE ON THE DOCKET THE NAMES AND ADDRESSES OF ALL PARTIES, THE METHOD OF SERVICE, AND THE COSTS ASSOCIATED WITH THIS SERVICE.



Judge Signature

9/2/18

Date