

STATE OF OHIO	)	IN THE COURT OF COMMON PLEAS
	) SS:	
CUYAHOGA COUNTY	)	CASE NO. CV-06-595064
JOHN A. SIVINSKI	)	
	)	
Plaintiff,	)	
	)	
vs.	)	<b>OPINION</b>
	)	
LYNN ARKO KELLEY, et al.	)	
	)	
Defendants.	)	
	)	

**SHIRLEY STRICKLAND SAFFOLD, JUDGE:**

This matter was called to trial on October 19, 2009. On October 27, 2009, after this Honorable Court granted Defendant’s, Lynn Arko Kelley (hereinafter “Defendant”), Motion for Directed Verdict on Plaintiff’s claims in its entirety, and partially granted Plaintiff’s, John A. Sivinski (hereinafter “Plaintiff”), Motion for Directed Verdict on Defendant’s counterclaims, the jury returned a verdict in favor of the Defendant on her two remaining counterclaims, Abuse of Process and Spoliation of Evidence. The jury rendered a verdict of \$200,000 in compensatory damages, \$400,000 in punitive damages, and attorney fees.

On October 28, 2009 this Honorable Court held a hearing on the record to determine the attorney fees. Present at the hearing for the Defendant were William Wuliger, Esq. and Russell Randazzo, Esq. Present for the Plaintiff were Glenn D. Feagan, Esq. and Plaintiff, acting as co-counsel.

Wuliger testified as to the attorney fees that were incurred by Defendant during the litigation process and was able to introduce into evidence a fee exhibit breaking down all of Defendant’s legal costs. Mr. Feagan cross-examined Mr. Wuliger. After testimony, neither Plaintiff nor Mr. Feagan raised any objection as to the reasonableness of Plaintiff’s attorney fees.

Therefore, it is the ruling of this Honorable Court that the Defendant, Lynn Arko Kelley, be awarded \$296,352.01 in attorney fees.

IT IS SO ORDERED.

---

Date

---

Judge Shirley Strickland Saffold

**NOTICE OF SERVICE**

A copy of the foregoing JUDGMENT AND OPINION was forwarded this \_\_\_\_\_ day  
of November, 2009, via hand delivery to the following:

William T. Wuliger, Esq.  
1340 Sumner Court  
Cleveland, Ohio 44115

Glenn Feagan, Esq.  
Rockefeller Building, 16<sup>th</sup> Floor  
614 West Superior Ave.  
Cleveland, Ohio 44113