



FILED  
LORAIN COUNTY

2019 SEP 10 AM 9:01

COURT OF COMMON PLEAS  
TOM ORLANDO

**LORAIN COUNTY COURT OF COMMON PLEAS  
LORAIN COUNTY, OHIO**

**TOM ORLANDO, Clerk  
JOURNAL ENTRY  
John R. Miraldi, Judge**

Date 9/10/19

Case No. 17CV193761

GIBSON BROS INC  
Plaintiff

JACQUELINE BOLLAS CALDWELL  
Plaintiff's Attorney (-)

VS

OBERLIN COLLEGE  
Defendant

JOSH M MANDEL  
Defendant's Attorney (-)

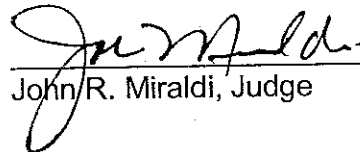
**ENTRY AND RULING ON DEFENDANTS' MOTION FOR NEW TRIAL OR REMITTITUR**

This matter comes before the Court upon the Defendants Oberlin College and Meredith Raimondo's Ohio Civ. R. 59 Motion, in the Alternative to Judgment Notwithstanding the Verdict, for a New Trial or Remittitur, filed August 14, 2019. The Plaintiffs Gibson Bros., Inc., Allyn W. Gibson, and David R. Gibson filed a Response in Opposition on August 28, 2019.

Ohio Civ. R. 59(A) empowers a trial court to grant a new trial when a party has been awarded "[e]xcessive or inadequate damages, appearing to have been given under the influence of passion or prejudice". *Tesar Indus. Contractors, Inc. v. Republic Steel*, 2018-Ohio-2089, ¶¶ 31 (Ohio Ct. App. 9<sup>th</sup> Dist.) (internal citations omitted).

Having considered the parties respective briefs and arguments and applicable precedent, the Court finds that the amount awarded is not manifestly excessive nor does it appear to be influenced by passion or prejudice. Accordingly, Defendants' Motion for a New Trial or Remittitur is denied.

IT IS SO ORDERED.

  
John R. Miraldi, Judge

cc: All Parties

