

[Cite as *Chien v. Ohio Dept. of Transp.*, 2005-Ohio-4226.]

IN THE COURT OF CLAIMS OF OHIO

HAO-CHENG CHIEN	:	
Plaintiff	:	
v.	:	CASE NO. 2005-06660-AD
OHIO DEPARMENT OF TRANSPORTATION	:	<u>ENTRY OF DISMISSAL</u>
Defendant	:	

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{¶ 1} On July 5, 2005, defendant filed a motion to dismiss, stating this claim was paid by Sandusky Bay Construction Company. On June 29, 2005, plaintiff signed a settlement release as a full and final release of the claim against defendant. On July 12, 2005, plaintiff notified the court this case has reached its conclusion. R.C. 2743.02(D) in pertinent part states: "Recoveries against the state shall be reduced by the aggregate of insurance proceeds, disability award, or other collateral recovery received by the claimant." Upon review, the court finds that the money received by plaintiff is a recovery from a collateral source. Accordingly, defendant's motion is GRANTED and plaintiff's case is DISMISSED. The court shall absorb the court costs for this claim in excess of the filing fee.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

Hao-Cheng Chien

Plaintiff, Pro se

Case No. 2005-06660-AD

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ENTRY

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