

# Court of Claims of Ohio

The Ohio Judicial Center  
65 South Front Street, Third Floor  
Columbus, OH 43215  
614.387.9800 or 1.800.824.8263  
[www.cco.state.oh.us](http://www.cco.state.oh.us)

LIU SHICHEN

Plaintiff

v.

OHIO UNIVERSITY

Defendant

Case No. 2011-09241-AD

Deputy Clerk Daniel R. Borchert

## MEMORANDUM DECISION

### THE COURT FINDS THAT:

{¶1} On July 7, 2011, plaintiff, Liu Shichen, filed a complaint against defendant, Ohio University, alleging his personal property was stolen after defendant's housekeeping personnel left his room unlocked. Plaintiff sought damages in the amount of \$2,497.49, the total cost he incurred to replace the stolen property and reimbursement of the filing fee. Plaintiff submitted the \$25.00 filing fee with his complaint.

{¶2} On August 10, 2011, defendant filed an investigation report disputing the method used by plaintiff to calculate his cost to travel to New York to replace his passport. Defendant noted plaintiff did not retain any receipts, therefore, defendant instead estimated what the cost of gasoline would be for the trip. Defendant concluded that "Ohio University does not oppose payment to the plaintiff up to a total of \$1,730.80."

{¶3} Plaintiff filed a response stating that although he incurred significant expense to travel to New York; he agreed to accept the sum offered by defendant.

THE COURT CONCLUDES THAT:

{¶4} Liability on the part of defendant has been established. See *Kvalheim v. Ohio University*, Ct. of Cl. No. 2010-02359-AD, 2010-Ohio-3795.

Plaintiff has suffered damages in the amount of \$1,730.80, which includes the \$25.00 filing fee, which may be reimbursed as compensable damages pursuant to the holding in *Bailey v. Ohio Department of Rehabilitation and Correction* (1990), 62 Ohio Misc. 2d 19, 587 N.E. 2d 990.

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## ENTRY OF ADMINISTRATIVE DETERMINATION

Having considered all the evidence in the claim file and, for the reasons set forth in the memorandum decision filed concurrently herewith, judgment is rendered in favor of plaintiff in the amount of \$1,730.80, which includes the filing fee. Court costs are assessed against defendant.

DANIEL R. BORCHERT  
Deputy Clerk

Entry cc:

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SJM/laa

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