

# Court of Claims of Ohio

The Ohio Judicial Center  
65 South Front Street, Third Floor  
Columbus, OH 43215  
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www.cco.state.oh.us

MT. CARMEL HEALTH SYSTEM

Plaintiff

v.

TWIN VALLEY BEHAVIORAL HEALTHCARE

Defendant

Case No. 2013-00162

Judge Patrick M. McGrath  
Magistrate Holly True Shaver

## JUDGMENT ENTRY

{¶1} On August 22, 2014, the magistrate issued a decision recommending judgment for plaintiff in the amount of \$113,091.79, plus prejudgment interest calculated from April 12, 2012, to the date that judgment is entered, pursuant to R.C. 1343.03(A) and 2743.18(A).

{¶2} Civ.R. 53(D)(3)(b)(i) states, in part: “A party may file written objections to a magistrate’s decision within fourteen days of the filing of the decision, whether or not the court has adopted the decision during that fourteen-day period as permitted by Civ.R. 53(D)(4)(e)(i).” No objections were filed.

{¶3} The court determines that there is no error of law or other defect evident on the face of the magistrate’s decision. Therefore, the court adopts the magistrate’s decision and recommendation as its own, including findings of fact and conclusions of law contained therein.

{¶4} R.C. 2743.18(A)(1) provides that interest shall be allowed with respect to any civil action on which a judgment or determination is rendered against the state for the same period of time and at the same rate as allowed between private parties to a suit. The award of prejudgment interest is controlled by R.C.1343.03(A) which

provides, in pertinent part, as follows: “[W]hen money becomes due and payable upon any \* \* \* instrument of writing \* \* \* the creditor is entitled to interest at the rate per annum determined pursuant to section 5703.47 of the Revised Code, unless a written contract provides a different rate of interest in relation to the money that becomes due and payable, in which case the creditor is entitled to interest at the rate provided in that contract.” The parties have not identified, nor is the court aware of a provision in the contract that provides a rate of interest for money that becomes due and payable. The magistrate found that plaintiff timely submitted a billing statement to defendant on March 13, 2012, and that the bill became due and payable on April 12, 2012. Therefore, plaintiff is entitled to prejudgment interest on the award of damages from April 12, 2012, to the date of this court’s judgment entry (September 15, 2014) as follows:

| Year | Days | Interest rate | Amount               | Interest     |
|------|------|---------------|----------------------|--------------|
| 2012 | 263  | 3%            | \$113,091.79         | \$2,444.64   |
| 2013 | 365  | 3%            | \$113,091.79         | \$3,392.75   |
| 2014 | 257  | 3%            | \$113,091.79         | \$2,388.87   |
|      |      |               | Total interest       | \$8,226.26   |
|      |      |               | Principal + interest | \$121,318.05 |
|      |      |               | \$25 filing fee      | \$121,343.05 |

{¶5} Accordingly, judgment is rendered for plaintiff in the amount of \$121,343.05, which includes the filing fee paid by plaintiff. Court costs are assessed against defendant. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

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PATRICK M. MCGRATH

Case No. 2013-00162

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JUDGMENT ENTRY

Judge

cc:

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