

IN THE IRONTON MUNICIPAL COURT
LAWRENCE COUNTY, OHIO

JUL 13 1987

GARY JAMES and DEBBIE JAMES

Plaintiffs

Case No. 87-SC-I-2

vs

DEBBIE CAMPBELL
aka Debbie Waddell
aka Debbie Fugitt

Defendant

JUDGMENT ENTRY

This matter came on for consideration upon the Amended Complaint and Motion for Default Judgment filed by Plaintiffs. The Court finds, having been fully advised of the matter, that the summons was duly served on Defendant Debbie Campbell on April 30, 1987. That Defendant is in default for answer, motion or appearance, and the Court finds such default a confession of the truth of the allegations contained in the Amended Complaint. Further, the Court is satisfied from the evidence that Plaintiffs are entitled to recover the sum prayed for in the Complaint and Motion with interest, costs and a reasonable attorney's fee.

It is therefore ~~ORDERED~~, ~~ADJUDGED AND DECREED~~ that Plaintiffs Gary James and Debbie James are granted a judgment against Defendant Debbie Campbell in the sum of eight thousand seven hundred eighty five dollars (\$8,785.00) with interest thereon at the legal rate per annum from this date forward.

It is further ~~ORDERED~~ that Plaintiffs Gary James and Debbie James are granted a judgment against Defendant Debbie Campbell for a reasonable

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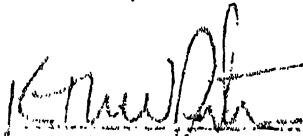
attorney's fee in the sum of two hundred fifty dollars (\$250.00) with
interest thereon at the legal rate per annum from this date forward.

Costs are to be paid by Defendant Debbie Campbell.

ENTER:

JUDGE

Submitted by:



Kenneth W. Porter
Attorney for Gary James and Debbie James

IN THE IRONTON MUNICIPAL COURT
LAWRENCE COUNTY, OHIO

GARY JAMES and DEBBIE JAMES

Plaintiffs

Case No. ~~87-50-1-2~~

v.

DEBBIE CAMPBELL
aka Delbia Waddell
aka Debbie Fugitt

APR 29 1987

Defendant

AMENDED COMPLAINT

Now comes Plaintiff Gary James, by and through counsel and amends his original complaint with the leave of this Court and hereinafter states his cause:

FIRST CAUSE

1. Plaintiffs are tenants as defined in O.R.C. Sec. 5321.01(A) and Defendant is a landlord as defined in O.R.C. Sec. 5321.01(B).
2. During the last week of September, 1986, Plaintiffs entered into a rental agreement as defined in O.R.C. Sec. 5321.01(D) with Defendant for the renting of residential premises located at 107 1/2 Howard Street, Ironton, Ohio.
3. That within the first week of occupancy of said premises problems developed with the sewage hook-ups in the bathroom causing said facilities to be unusable for the remainder of Plaintiffs' occupancy of said premises.
4. Plaintiff notified Defendant of the defect but Defendant failed correct the defect, in violation of her obligations mandated by O.R.C. Sec. 5321.04(A)(1), (2) and (4).

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5. Defendant's failure to act was intentional or grossly and recklessly negligent. Said failure was a wrongful eviction of the Plaintiffs who were forced to vacate the premises in January, 1987.

6. As a result of Defendant's failure to act, Plaintiffs were injured in the amount of four hundred ninety five dollars (\$495.00), the rental value of said premises; were injured through pain, suffering, agitation and disruption of their life in the amount of five thousand dollars (\$5,000.00); and were injured in the amount of forty dollars (\$40.00) because their eviction from said premises required them to rent another residence in January, 1987, for a greater amount.

SECOND CAUSE

7. Plaintiffs reallege paragraphs 1 and 2 of their Complaint as if fully recited herein.

8. Plaintiffs paid Defendant one hundred twenty five dollars (\$125.00) as and for a security deposit for said premises.

9. Plaintiffs were wrongfully evicted from and vacated the premises in January, 1987.

10. Defendant had actual knowledge of Plaintiffs' new address.

11. Defendant has failed to return the security deposit and wrongfully retains the same in violation of O.R.C. Sec. 5321.16.

12. Plaintiffs have suffered injury in the amount of one hundred twenty five dollars (\$125.00).

WHEREFORE, Plaintiffs pray for a verdict against Defendant as follows:

A. Judgment for Plaintiffs in the amount of five thousand five

hundred thirty five dollars (\$5,535.00) for their actual damages incurred in the First Cause;

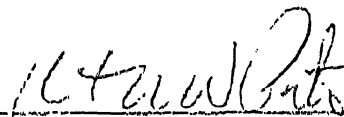
B. Judgment for Plaintiffs in the amount of three thousand dollars (\$3,000.00) as and for punitive damages resulting from Defendant's negligent conduct in the First Cause;

C. Judgment for Plaintiffs in the amount of two hundred and fifty dollars (\$250.00) on their Second Cause, pursuant to O.R.C. Sec. 3321.16(C);

D. Judgment for a reasonable attorney's fee;

E. Judgment for costs and other just relief.

Respectfully submitted,


Kenneth W. Porter
Attorney for Plaintiffs
Southeastern Ohio Legal Services
607 Masonic Building
Portsmouth, Ohio 45662
Phone: (614) 354-7563

INSTRUCTIONS TO THE CLERK: Please serve a copy of this Amended Complaint upon Defendant Debbie Campbell by certified mail, return receipt requested. NOTE: Defendant's summons should inform her that, pursuant to Ohio Civil Rule 15(A), Defendant "shall plead in response to [this] amended pleading ... within fourteen (14) days after service of the amended pleading"