

Cleveland Municipal Court
Housing Division
Judge Raymond L. Pianka

City of Cleveland,
Plaintiff(s)

Date: July 22, 2010

-v-

Case No: 2010 CRB 09822

Go Invest Wisely, LLC,
Defendant(s)

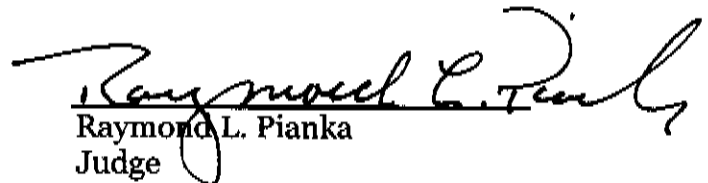
JUDGMENT ENTRY & ORDER

Defendant entered a plea of not guilty in this case on April 29, 2010. Trial was had on June 17, 2010, and Defendant was found guilty. At sentencing hearing on July 8, 2010, the Court heard the presentence report and found numerous aggravating factors and no mitigating factors and sentenced Defendant to the maximum fine of \$915,000. The Court also set this case for hearing on restitution.

Pursuant to the misdemeanor sentencing provisions of R.C. 2929.28, this **case is set for hearing on victim claims for restitution on Thursday, August 12, at 9:00 a.m.**

The Court perceives that the class of potential victims may include the residents and property owners on the same city block as the subject property of this hearing, and will provide notice accordingly. The City may supplement this notice or expand the number of persons notified as it sees fit.

Any person wishing to assert a claim as a victim of Defendant's conduct must appear and present a claim at this hearing. Defendant will have the opportunity to challenge any claims, and, pursuant to R.C. 2929.28(A)(1), the Court will determine the "amount of the economic loss suffered by the victim as a direct and proximate result of the commission of the offense." If Defendant challenges a claim, the victim will carry the burden of proving the amount of the claim by a preponderance of the evidence.


Raymond L. Pianka
Judge

SERVICE

A copy of this judgment entry and order was sent by regular U.S. mail to the addresses of record for parties/counsel on ____/____/____ by ____.

Hand delivery in Court 7/22/2010

Cleveland Municipal Court

HOUSING DIVISION

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RAYMOND L. PIANKA
JUDGE

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To Whom It May Concern:

On June 17, 2010, in the case City of Cleveland v. Go Invest Wisely, LLC, Case No. 2010-CRB-9822, defendant Go Invest Wisely was found guilty for building and housing code violations at 840 E. 141st St., Cleveland, OH 44110.

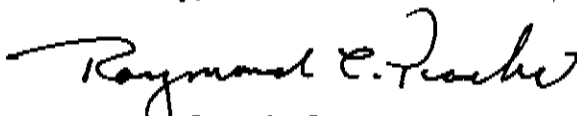
As an additional penalty, the Court has ordered defendant Go Invest Wisely to pay victim restitution for its failure to maintain the cited property in compliance with the City's building and housing code. Under Ohio Revised Code 2929.28, victim restitution may be available where a defendant's criminal conduct has directly caused a victim to suffer economic loss.

You received this letter because you may qualify as a victim and have a right to present your claim to the Court during a victim restitution hearing on **August 12, 2010 at 9:00AM in Courtroom 13B in the Justice Center**. Please consider the following guidelines when determining whether you are a victim and what evidence should be brought to the hearing:

- Property owners who lived near the cited property and are able to present evidence to show that they suffered some economic loss may be eligible for restitution. For instance, a person may be able to recover costs associated with maintaining the cited property to lessen its impact on their own situation, i.e., mowing the lawn or picking up garbage.
- Property owners who sold their home during August 27, 2009 through March 16, 2010 and can present sufficient evidence to show the loss in property value caused by the condition of the defendant's cited property. It may be necessary for an expert witness to present evidence for this type of claim.

If you feel you are a potential victim in this case, you must bring all evidence and be prepared to testify regarding economic loss suffered due to defendant's actions at the hearing. If you have any question regarding this letter, please contact Staff Attorney Jessica M. Weymouth at (216) 664-2687.

Sincerely,



Raymond L. Pianka
Judge



