

Ohio Co. agrees to pay \$807,121 suit settlement

MANSFIELD - The Ohio Co. has agreed to pay 16 former customers, including 13 Richland Countians, a total of \$807,121 in an out-of-court settlement.

The suits, one filed by 13 plaintiffs and a second filed by three plaintiffs, were consolidated in federal court in Akron.

Mansfield attorneys James Calhoun, Charles T. Robinson and Leslie K. Wagner represented the group, which originally asked for a total of \$8 million to cover the actual investment losses and punitive damages.

The first suit was filed last December by Robinson and Wagner, and Calhoun's case was filed last February. Both suits alleged that The Ohio Co. negligently permitted the sale of securities that were not registered and not approved by the company for sale.

The suits also state that the company failed to properly instruct employees in the sale of qualified securities and to monitor its employees.

Calhoun said the \$807,121 settlement is not a complete recovery of lost investments, but just a little less.

James Azer of Bellville and William Hobbs of Lexington were both originally named in the lawsuits as the brokers who sold the partnership interests and money-market accounts with "intentions to deceive and defraud." Both Azer and Hobbs were dropped during the settlement, and both have filed bankruptcy since the filings.

Calhoun said The Ohio Co. has the right to pursue the brokers if it desires.

Robinson said he thinks the settlement supports the idea that brokerage houses have the duty to supervise their representatives.

Wagner said the case was a challenging one which took a lot of time and considerable expense.

Robinson said the attorneys spent a total of 80 days taking depositions in the case.

Such litigation is not appropriate for individual clients because of the expense, all three attorneys said. Robinson added, "It took all three of us working all the time to keep up with it."

The suits covered transactions made over eight years, beginning in 1978, at the Ohio Co. office in Mansfield.

The attorneys said their clients represented a cross-section of financial situations. Most were not sophisticated investors, and they had trusted the advice of the broker, Robinson said.

Nine of the plaintiffs are from Mansfield: Jan Bernzott, 100 Dawson Ave.; Kenneth A. Drown 293 1/2 S. Diamond St.; Sidney Earhart, 198 1/2 Waring Ave.; Glenn Heldenbrand, 116 Dawson Ave.; Mae H. and Robert C. Hudson, 821 Yale Drive, Anna Laubscher, 449 Hedeem Drive; Judith A. Spree, 992 S. Main St.; and Douglas Tucker, 760 Hickory Lane.

Other plaintiffs are Ruth C. Utz, 5732 Ohio 61 North, Shelby; Dan T. and Barbara Tucker, both of Lucas, RD 1, and Dan T. Tucker, executor of the estate of Susan E. Tucker; Naomi and John Carr of Sun City Center, Fla.; and Margaret Zurbrick of North Carolina.