

OHIO TURNPIKE COMMISSION

Resolution Directing that Legal Proceedings be Initiated Against Metropolitan Trucking Company and Lincoln General Insurance to Recover Amounts Owed the Commission

WHEREAS, the Commission has been advised by its General Counsel that on October 17, 2005, a driver for Metropolitan Trucking Company was driving westbound on the Turnpike and was involved in an accident whereby he struck another truck from behind; and

WHEREAS, the accident resulted in the Commission suffering property damage in the total amount of \$61,060.50; and

WHEREAS, the driver for Metropolitan Trucking Company was issued a citation by the State Highway Patrol for an assured clear distance violation; and

WHEREAS, the Commission has been advised by its General Counsel that it has demanded full payment of its damages from Metropolitan Trucking Company and its insurance carrier, Lincoln General Insurance, but as of the present date the company and insurance carrier have refused to make full payment for the damages incurred as a result of the accident; and

WHEREAS, the General Counsel has advised that it may be necessary for legal proceedings to be initiated against Metropolitan Trucking Company and Lincoln General Insurance in order to recover those amounts necessary to compensate the Commission for the property damages incurred.

NOW, THEREFORE, BE IT

RESOLVED that legal proceedings be begun and prosecuted, if necessary, to recover those sums that were incurred as a result of the property damages caused by Metropolitan Trucking Company; and

FURTHER RESOLVED that the General Counsel be, and she is hereby instructed to do or cause to be done all things that may be appropriate or necessary, whether by agreement or through legal proceedings, to ensure the recovery of amounts owed the Commission by Metropolitan Trucking Company and Lincoln General Insurance.

(Resolution No. 41- 2006 adopted October 16, 2006)

I, Gary C. Suhadolnik, Executive Director of the Ohio Turnpike Commission, do hereby certify that the above is a true copy of the aforesaid resolution which was duly adopted at a meeting of the Commission, duly called for and convened and held on October 16, 2006, at which a quorum was at all times present and voting.

WITNESS my hand and the seal of the Ohio Turnpike Commission on this 16th day of October, 2006.

Gary C. Suhadolnik
Executive Director