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### News

## Jury returns \$2.5M verdict in bridge painting case

By MARK LAW, Staff writer

STEUBENVILLE — A Jefferson County Common Pleas Court jury on Thursday evening awarded the Ohio Department of Transportation \$2.5 million against a Campbell company for faulty painting of eight bridges along state Route 7 in 1999.

ODOT hired Bridges R US Painting Co. of Campbell in 1999 to paint bridges along state Route 7. ODOT required as part of the contract that the bridge painting company sand blast clean and grind metal surfaces prior to painting. The ODOT lawsuit stated Bridges R US Painting Co. failed to properly apply the paint system as required by the contract.

ODOT initially claimed in the lawsuit that the paint system applied by the bridge painting company failed to such a degree that at least two bridges under the project had to be properly stripped, repaired and repainted.

ODOT's attorneys claimed during the jury trial held before Common Pleas Judge Joseph Bruzzese Jr. the state transportation department now wants to redo seven on the bridges and one bridge has to be touched up with paint. None of the work has been completed because of the pending trial and the lack of money for the projects.

ODOT was seeking upwards of \$4 million.

The bridge painting company claimed during the trial that its workers performed the job as to ODOT's specifications.

An ODOT bridge inspector, James Stone, was convicted in federal court in April 2004 of making false and fictitious statements regarding the quality of painting work performed. Stone admitted to receiving an improper cash payment of \$1,000 from the owner of Bridges R US Painting Co. in the Jefferson County projects.

The company's lawyers argued the company only provided free lunches to the inspector while he was on the job and denied the bribe allegation.



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Stone, who also admitted to taking a total of \$5,000 in bribes on ODOT bridge painting jobs, including Jefferson County projects, was ordered to make \$5,000 in restitution to the state and was placed on two years of probation. Stone also testified this week in the Jefferson County trial.

As of May 31, 14 individuals and four companies have been convicted as part of a federal investigation of contract and grant fraud in the ODOT bridge painting inspection program, according to the Ohio Office of Inspector General

Scott Varner, an ODOT deputy director in the Columbus office, said there are 30 more bridge painting cases pending in northeastern and eastern Ohio against bridge painting companies alleging faulty painting jobs. Varner said the issue is not the structural integrity of the bridges but, rather, the paint not lasting as long as it is supposed to because of faulty preparation work prior to painting

The Jefferson County trial lasted two days, and the jury deliberated about three hours before returning with the verdict around 10:15 p.m. on Thursday.

The jury didn't return a verdict on ODOT's fraud claim in the case.

(Law can be contacted at [mlaw@heraldstaronline.com](mailto:mlaw@heraldstaronline.com).)

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