

IN THE COURT OF COMMON PLEAS
MAHONING COUNTY, OHIO

ROSSI PAINTING, INC.
6950 FAIRVIEW ROAD
YOUNGSTOWN, OHIO 44515

PLAINTIFF

vs.

NYO PROPERTY GROUP, AN OHIO PARTNERSHIP
16 WICK AVENUE
YOUNGSTOWN, OHIO 44503

and

WICK PROPERTIES, LLC
C/O DOMINIC MARCHIONDA, STATUTORY AGENT
7886 VIA ATTILIO
POLAND, OHIO 44514

and

RUBINO CONSTRUCTION, INC.
C/O FERNANDO RUBINO
8426 CHESTERTON DRIVE
YOUNGSTOWN, OHIO 44514

and

GREENHEART COMPANIES, LLC
C/O BRIAN S. ANGELILLI, STATUTORY AGENT
P.O. BOX 3407
YOUNGSTOWN, OHIO 44513

DEFENDANTS

CASE NO: 2016 CV 340

JUDGE *Krichbaum*

COMPLAINT
(CONTRACT)

1. On or about October 10, 2014, plaintiff was solicited by Greenheart Companies, Ed Kay and Brian Angelilli, to submit a bid for the painting at the Wick Towers.
2. Plaintiff submitted the bid (see Exhibit 1 appended hereto).
3. The contract was later amended to increase the cost of labor since the job was not based on prevailing wages.
4. The total contract price was \$156,060 plus \$25,000 for a total of \$181,060 (see Exhibit 2 appended hereto).
5. Plaintiff completed all work on or about September 15, 2015.
6. Plaintiff submitted an invoice on August 3, 2015, for \$11,550 and was not paid for work completed in July 2015 (see Exhibit 3 appended hereto).



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7. Plaintiff submitted an invoice for retainage on September 8, 2015, and was not paid (see Exhibit 4 appended hereto).

8. Plaintiff filed an affidavit for mechanic's lien on October 13, 2015, for nonpayment.

9. Plaintiff has never been paid for the extras it performed on the job.

10. Plaintiff states that throughout the course of the contract, it was told to bill different companies, corporations and partnerships.

11. Plaintiff states that it does not know who the correct party is, but one or all owe it monies in excess of \$25,000 (Twenty-five Thousand Dollars).

Wherefore, plaintiff prays for judgment against defendants, jointly and severally, in an amount in excess of \$25,000 (Twenty-five Thousand Dollars) plus its costs herein and interest.

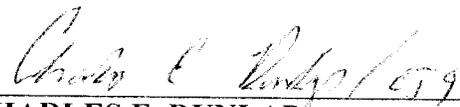
RESPECTFULLY SUBMITTED:



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Supreme Court # 0012827
ATTORNEY FOR PLAINTIFF

INSTRUCTIONS TO THE CLERK

Please serve a copy of this complaint on the defendants, **NYO Property Group, Wick Properties, Inc., Rubino Construction, Inc. and Greenheart Companies**, at the addresses shown in the caption, by certified mail, return receipt requested.



CHARLES E. DUNLAP
ATTORNEY FOR PLAINTIFF