

Fusonie Quoted in News Stories Regarding Ohio Supreme Court Decision on Ohio Department of Transportation Actions

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Thomas H. Fusonie

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Tom Fusonie, a partner in the Columbus office, was quoted in two news stories about the Ohio Supreme Court's decision in *State ex rel. New Wen, Inc. v. Marchbanks*.

The *Newark Advocate* story on the decision was titled "Ohio Supreme Court: Wendy's deserves compensation for lost Ohio 16 access" it stated:

"Tom Fusonie, attorney with Vorys, Sater, Seymour and Pease, representing Wendy's owner New Wen Inc., said the loss of access to Ohio 16 created a loss to the restaurant of about \$1 million a year in sales, or a 50 percent drop. The restaurant opened in 1992.

'We're obviously pleased with the Supreme Court's decision,' Fusonie said. 'They have vindicated our client's constitutional rights. Our client had a constitutional right to the access point of Cherry Valley at Ohio 16, and ODOT closed the access point.'

'We met with ODOT and tried to work out a resolution prior to court action. They offered no compensation and they basically said 'go away.' ODOT is now under order to compensate our client and they have to do that swiftly.'"

To read the *Newark Advocate* story, [click here](#). A subscription may be required to read it.

Another news story on the decision, from WSYX TV in Columbus was titled "Wendy's wins beef with ODOT over highway improvements that cost the eatery business."

To watch the WSYX story, [click here](#).