

MARKS & WEINBERG, P.C.

Beal v. Lyons Sawmill & Logging Equipment & Supplies, Inc No. 95 BA 41, 1997 WL 28564 (Ohio Ct. App. Jan. 22, 1997)

Lessee sued for damages after a sawmill it had leased was not operational by a specified date as the seller had warranted. The trial court awarded the lessee \$87,533 which represented the lease payments made during the period the mill was not operating properly as well as expenses incurred to third parties to make repairs. The appeals court reduced the award by \$45,555 finding that lessee was not entitled to recover for the lease payments made after the date seller offered to cure the problems but was not allowed to do so by lessee.

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