# CAPTION: GOOMAI V. H&E ENTERPRISE, LLC

**10-27-23**

APPEAL NO.: C-230099

TRIAL NO.: A-1902101

KEY WORDS: PREVAILING PARTY – ATTORNEY FEES – DECEPTIVE TRADE PRACTICES ACT – R.C. 4165.03

SUMMARY:

Plaintiff was a prevailing party under R.C. 4165.03(B), the Deceptive Trade Practices Act, by virtue of obtaining a jury verdict that defendant violated the statute, even though the jury awarded no damages on the claim: the plain meaning of the term “prevailing party” in R.C. 4165.03(B) is the party that obtains a judgment in its favor, regardless of whether a remedy accompanies the judgment.

JUDGMENT: REVERSED AND CAUSE REMANDED

JUDGES: OPINION by KINSLEY, J.; WINKLER, P.J., and BOCK, J., CONCUR.