

The Supreme Court of Ohio

FILED

DEC 24 2014

CLERK OF COURT
SUPREME COURT OF OHIO

American Municipal Power, Inc.

Case No. 2014-1847

v.

ENTRY

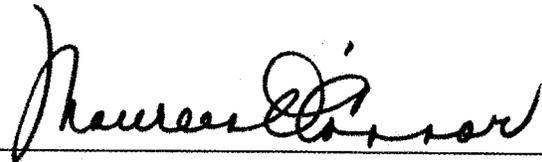
Bechtel Power Corporation

This cause, here on the certification of a state law question from the United States District Court, Southern District of Ohio, Eastern Division, was considered in the manner prescribed by law. Upon review pursuant to S.Ct. Prac. R. 9.05, the court will answer the following question:

Does reckless conduct by the breaching party, as defined in *Anderson v. Massillon*, 134 Ohio St. 3d 380 (2012), render a contractual limitation of liability clause unenforceable?

It is ordered by the court that petitioner shall file its merit brief within 40 days of the date of this entry and the parties shall otherwise proceed in accordance with S.Ct. Prac. R. 16.02 – 16.04; and S.Ct. Prac. R. 9.07.

(U.S. District Court, Southern District of Ohio, Eastern Division; No. 2:11-CV-131)



Maureen O'Connor
Chief Justice