

**IN THE COURT OF APPEALS  
TENTH APPELLATE DISTRICT  
FRANKLIN COUNTY, OHIO**

**JACOB P. TRINKA, et al.,**    ) **APPEAL NO. 21AP000703**  
  )  
  ) *Appellees,*    ) (On appeal from the Franklin  
  ) **v.**                        ) County Court of Common Pleas,  
  ) Case No. 18 CV 2023)  
**TRINITY HOME BUILDERS,**    )  
  ) **LLC,**                        )  
  ) *Appellant.*    )  
  )  
  )

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**APP.R. 28 JOINT MOTION TO DISMISS APPEAL**

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Now come the parties to this <sup>—</sup> appeal, Appellant/Defendant Trinity Home Builders, LLC, and Appellees/Plaintiffs Jacob and Kirsten Trinka (jointly the “Parties”) and hereby jointly requests that this Court dismiss this appeal pursuant to App.R. 28. Specifically, App.R. 28 states, in pertinent part:

If the parties to an appeal or other proceeding shall sign and file with the clerk of the court of appeals an agreement that the proceedings be dismissed and shall pay whatever costs are due, the court shall order the case dismissed.

Accordingly, the Parties hereby agree that this appeal be dismissed due to the final judgment approving their class action settlement and dismissing the underlying action with prejudice accordingly, the time to appeal that final judgment entry having expired with no appeal having been filed. The Parties agree that costs in excess of deposit, if any, be paid from the Settlement Fund pursuant to Section III.B.2.d of the Settlement Agreement.

Respectfully submitted,

**/s/ Robert Huff Miller**

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## **CERTIFICATE OF SERVICE**

Pursuant to Loc.R. 2(E) of this Court and App.R. 13(C), I hereby certify that on the 8th day of April, 2026 a copy of the foregoing Joint Motion Dismiss Appeal was served by via e-mail sent to the e-mail address registered in the e-filing system on the following:

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