

2010 SEP 13 AM 9:22

IN THE COURT OF CLAIMS OF OHIO

**Eugene Wrinn, Jr.,** ) Case No. 2006-05934  
 )  
 Plaintiff, ) Judge Alan C. Travis  
 )  
 v. ) **MOTION TO CONTINUE**  
 ) **HEARING DATE**  
**Ohio State Highway Patrol,** )  
 ) Cary R. Cooper (0013062)  
 Defendant. ) Sarah K. Skow (0081468)  
 ) COOPER & WALINSKI, L.P.A.  
 ) 900 Adams Street  
 ) Toledo, Ohio 43604  
 ) Phone: (419) 241-1200  
 ) Fax: (419) 242-5675  
 ) cooper@cooperwalinski.com  
 ) skow@cooperwalinski.com  
 )  
 ) *Counsel for Plaintiff*

**ORIGINAL**

On September 1, 2010 the Court entered an Order scheduling an evidentiary hearing for October 6, 2010 at 10:00 a.m. to determine whether Ohio State Highway Patrol officers Daren Johnson, G.K. Manley, and K.J. Koverman are entitled to civil immunity under R.C. 2743.02(F) and 9.86.

Plaintiff Eugene Wrinn, Jr. ("Wrinn") moves the Court for leave to continue the October 6, 2010 hearing date. This is the first request for such a continuance, and defendant will not be prejudiced by continuing the hearing date. Wrinn lives out of state and is unable to attend the scheduled hearing due to his work schedule and commitments. Some of Wrinn's witnesses are also unavailable on October 6, 2010 and the State's attorney handling this case is scheduled for trial the week of October 4, 2010. Due to Wrinn's schedule, plaintiff's witnesses' schedules,

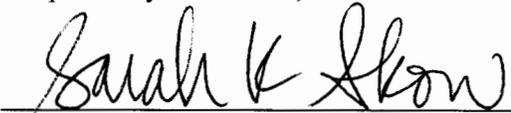
COOPER & WALINSKI  
A LEGAL PROFESSIONAL  
ASSOCIATION  
900 ADAMS STREET  
TOLEDO, OHIO 43604

**ON COMPUTER**

plaintiff's counsel's trial schedule, and defense counsel's schedule, Wrinn respectfully requests that the Court vacate the October 6, 2010 date and reschedule the hearing for a later date convenient to all parties in November or December, 2010. The Attorney General does not oppose the continuance of the October 6, 2010 hearing date.

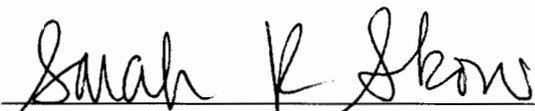
Dated: September 10, 2010

Respectfully submitted,

  
Cary R. Cooper  
Sarah K. Skow  
*Counsel for Plaintiff*

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served this 10th day of September, 2010 by ordinary U.S. mail, postage prepaid, upon: **James P. Dinsmore**, Assistant Attorney General, Court of Claims Defense Section, 150 East Gay St., 18th Floor, Columbus, Ohio 43215-3130; **Anthony Geiger**, Law Director, CITY OF LIMA, 209 N. Main St., 6<sup>th</sup> Floor, Lima, Ohio 45901; upon **Todd M. Raskin** and **Carl E. Cormany**, MAZANEC, RASKIN, RYDER & KELLER CO., L.P.A., 100 Franklin's Row, 34305 Solon Road, Cleveland, Ohio 44139; upon **Michael S. Loughry**, MAZANEC, RASKIN, RYDER & KELLER CO., L.P.A., 250 Civic Center Drive, Suite 400, Columbus, Ohio 43215; and upon **Jane M. Lynch** and **Jared A. Wagner**, GREEN & GREEN, LAWYERS, 800 Performance Place, 109 North Main Street, Dayton, Ohio 45402-1290.

  
Cary Rodman Cooper  
Sarah K. Skow  
*Counsel for Plaintiff*

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COURT OF CLAIMS  
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September 10, 2010

Miles C. Durfey, Clerk  
COURT OF CLAIMS OF OHIO  
The Ohio Judicial Center  
65 S. Front Street, 3rd Floor  
Columbus, Ohio 43215

RE: *Eugene Wrinn, Jr. v. Ohio State Highway Patrol*  
Court of Claims of Ohio Case No. 2006-05934

Dear Mr. Durfey:

I enclose an original and three copies of a Motion to Continue Hearing Date in the above-referenced matter. Please file same with the Court and return at least one, file-stamped copy to our office in the enclosed, self-addressed, stamped envelope. Thank your for your assistance in this matter. 

Sincerely,

*Sarah Skow*

Sarah K. Skow

*(dk)*

SKS/dk  
Enc

cc: James P. Dinsmore, Esq. w/encl.  
Anthony L. Geiger, Esq. w/encl.  
Carl E. Cormany, Esq. and Todd M. Raskin, Esq. w/encl.  
Jane M. Lynch, Esq. and Jared A. Wagner, Esq. w/encl.  
Michael S. Loughry, Esq. w/encl.  
Eugene M. Wrinn, Sr. w/encl.