

ORIGINAL

FILED
COURT OF CLAIMS
OF OHIO

IN THE COURT OF CLAIMS OF OHIO 2013 MAY -8 PM 3: 16

DARLENE LANE FERRARO

Plaintiff

v.

THE OHIO STATE UNIVERSITY
MEDICAL CENTER

Defendant

CASE NO. 2011-10371

JUDGE PATRICK M. McGRATH

**DEFENDANT'S MEMORANDUM IN OPPOSITION TO PLAINTIFF'S
MOTION FOR EXTENSION OF EXPERT REPORT DEADLINE**

Plaintiff has given no explanation at all for her lack of diligence in producing expert reports in this matter, and therefore her request for an extension should be denied.

The accident at issue in this case occurred September 10, 2009, more than three and a half years ago. That is more than enough time to explore the facts and produce a report. There is no excuse for a delay in this case, particularly considering that the exhaustive depositions in this matter were all completed more than a year ago: April 12 and 13, 2012. The deposition of the University's employee, Dr. Barth, was completed in December 2011.

The only explanation that Plaintiff provides is that she is "in the process" of having an expert provide a report. But the discovery has been complete for more than a year and she has known of her expert deadline since October of last year. The defense was provided with the same notice and had the same discovery available to it, and managed to comply with the deadlines established by the court. Plaintiff should have been "in the process" on time, and provides absolutely no explanation for her failure to do so.

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Accordingly, her motion must be denied.

Respectfully submitted,

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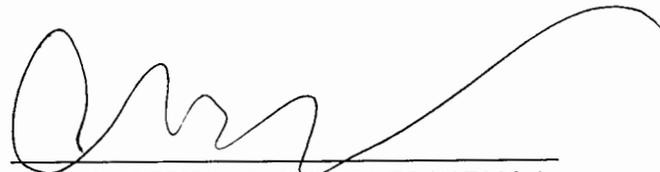
CERTIFICATE OF SERVICE

On May 8, 2013, a copy of this document was served via email and regular mail on the following:

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