

**ORIGINAL**

FILED  
COURT OF CLAIMS  
OF OHIO

IN THE COURT OF CLAIMS  
FOR THE STATE OF OHIO

2013 AUG 28 AM 11: 07

WILLIAM ANDREW CAMPBELL  
476 Warren Avenue  
Portsmouth, Ohio 45663

CASE NO. \_\_\_\_\_

**2013-00502**

Plaintiff

vs.

THE OHIO DEPARTMENT OF  
NATURAL RESOURCES  
2045 Morse Road  
Columbus, Ohio 43229-6693

**COMPLAINT AND PLAINTIFF'S  
FIRST SET OF INTERROGATORIES  
AND REQUEST FOR PRODUCTION  
OF DOCUMENTS SUBMITTED TO  
DEFENDANT THE OHIO  
DEPARTMENT OF NATURAL  
RESOURCES**

Defendant

**COUNT ONE**

1. On or about August 29, 2011, Plaintiff William Andrew Campbell was employed as a natural resource specialist for the Defendant The Ohio Department of Natural Resources (hereinafter referred to as ODNR)
2. Specifically, Plaintiff William Andrew Campbell was employed at Shawnee State Park located in Scioto County, Ohio. His primary job duties involved maintenance and agricultural work at the golf course located at the Shawnee State Park.
3. William Andrew Campbell was hired on March 18, 2011. On or about August 29, 2011, William Andrew Campbell was instructed by his supervisor, Matthew Bourne, to seed the fairway on the No. 9 hole at the Shawnee State Park Golf Course. He was instructed to use a

**ON COMPUTER**

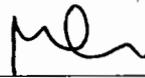
John Deere 1070 tractor with an attached Jacobsen slit seeder.

4. While performing his job task during the morning of August 29, 2011, William Andrew Campbell exited the tractor to check on the seed levels of the Jacobsen slit seeder. After this was done, Plaintiff William Andrew Campbell attempted to clean dirt/sod off the slit seeder where it attached to the John Deere tractor. During this cleaning process, William Andrew Campbell's sweatshirt became entangled in an unguarded portion of the slit seeder near the point of its connection with the PTO shaft of the John Deere tractor.
5. Immediately after the clothing of William Andrew Campbell became tangled in the PTO shaft/Jacobsen slit seeder, William Andrew Campbell sustained traumatic injuries to his left arm and hand. At the time that William Andrew Campbell sustained his injuries, he was left hand dominant. The aforementioned injuries resulted in the complete amputation of William Andrew Campbell's left hand and several other injuries throughout his left arm and body.
6. William Andrew Campbell has undergone over ten surgical procedures addressing the injuries he sustained on August 29, 2011. He has incurred medical expenses presently totally \$175,000.00. He has incurred a complete loss of income and has sustained a permanent loss of his income earning capacity. He has incurred psychological trauma. His physical and psychological injuries are permanent. William Andrew Campbell has sustained extensive pain and suffering and will continue to do so in the future.
7. Prior to August 29, 2011, the Defendant The Ohio Department of Natural Resources by and through its employees and agents, engaged in several unsafe acts which proximately caused the injuries sustained by William Andrew Campbell. Specifically, the seat on the John Deere 1070 tractor that he was operating was wired to bypass the safety feature. Specifically, the John Deere 1070 tractor was designed so that when an operator stood up from the seat, the

power to the tractor would be disengaged. This safety feature was disabled and bypassed so that when William Andrew Campbell stood up from the seat of the John Deere 1070 tractor on August 29, 2011, the power was not disengaged.

8. The ODNR, through its employees and agents, also removed at least three guards from the Jacobsen slit seeder. These included guards involving the PTO shaft, the gear box on top of the aerator, as well as the seeder itself. The removal of these guards proximately caused the injuries sustained by William Andrew Campbell.
9. The aforementioned acts in Paragraphs seven and eight were performed by the Ohio Department of Natural Resources without the knowledge of the Plaintiff, William Andrew Campbell. These acts in bypassing safety devices and/or guards and the actual removal of guards were the proximate cause of the injuries sustained by William Andrew Campbell.
10. As a result of the aforementioned conduct, The Ohio Department of Natural Resources committed an intentional tort as defined by R.C. 2745.01 of the Ohio Revised Code.

WHEREFORE, Plaintiff William Andrew Campbell prays for damages against The Ohio Department of Natural Resources in an amount greater than \$25,000.00, together with interest, costs, and such further relief to which he may be entitled to.



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August 23, 2013

Court of Claims  
Clerk of Courts  
65 S. Front Street  
Columbus, Ohio 43215

RE: *Campbell v. The Ohio Department of Natural Resources*

Dear Sir or Madam:

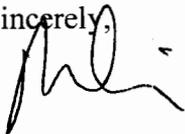
Enclosed please find the original and five copies of the complaint filed on behalf of my client, William Andrew Campbell. A check for the filing fee is also enclosed.

If you would please send me a filed copy of the complaint, it would be greatly appreciated.

*JMS*

A self addressed envelope enclosed for your convenience. Thank you for your attention to this matter. Should you have any questions or concerns, please call me.

Sincerely,



Mark B. Weisser

MBW/jb  
Enc.

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