

acts and omissions.

FIFTH DEFENSE

7. The court lacks jurisdiction to hear some or all of Plaintiff's claims.

SIXTH DEFENSE

8. Plaintiff's claims are barred in whole or in part by the applicable statute of limitations.

SEVENTH DEFENSE

9. Plaintiff's right to recover damages from this Defendant may be limited by the provisions of R.C. 2743.02(D) and/or R.C. 3345.40.

EIGHTH DEFENSE

10. This Defendant is immune from suit pursuant to R.C. 4123.74.

NINTH DEFENSE

11. Pursuant to R.C. 2307.23, this Defendant is entitled to an apportionment of any alleged tortious conduct by the Court.

TENTH DEFENSE

12. Plaintiff has failed to mitigate his damages.

ELEVENTH DEFENSE

13. Plaintiff has released any claim(s) he may have against this defendant and its employees.

TWELFTH DEFENSE

14. Any allegation not specifically admitted is herein denied.

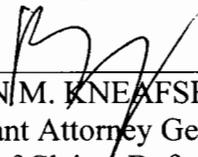
THIRTEENTH DEFENSE

15. This Defendant reserves the right to assert any and all additional affirmative defenses that may become available and/or apparent during discovery and hereby reserves the right to amend its Answer to assert such defenses.

WHEREFORE, having fully answered Plaintiff's Complaint, Defendant respectfully requests that this Court dismiss the Complaint in its entirety at Plaintiff's costs.

Respectfully submitted,

MICHAEL DeWINE
Ohio Attorney General



BRIAN M. KNEAFSEY, JR. (0061441)
Assistant Attorney General
Court of Claims Defense Section
150 E. Gay St., 18th Floor
Columbus, Ohio 43215
(614) 466-7447
(877) 588-5474 fax
brian.kneafsey@ohioattorneygeneral.gov
COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Defendant's *Answer* was sent by regular U.S.

Mail, postage prepaid, this 25th day of September, 2013 to:

Mark B. Weisser
600 Vine Street, Suite 1920
Cincinnati, Ohio 45202



BRIAN M. KNEAFSEY, JR. (0061441)
Assistant Attorney General