

ORIGINAL

FILED
COURT OF CLAIMS
OF OHIO

IN THE OHIO COURT OF CLAIMS

2013 NOV 12 AM 11:28

YONG HUI SHEFFIELD, ET AL.

Plaintiff

-v-

THE OHIO STATE UNIVERSITY
MEDICAL CENTER

Defendant.

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Case No. 2013-00013

Judge Patrick McGrath

MOTION TO MODIFY CASE SCHEDULE

Plaintiff hereby requests a second modification of the case schedule. To date, the parties have still been unable to depose Paul Gullett, R.N. Within the last 14 days Defendant has successfully established communication with Mr. Gullett, who now lives in Irving Texas. Initially, a deposition was scheduled in advance of the immunity hearing. This date had to be released, however, as Mr. Gullett indicated he would like the opportunity to obtain counsel before sitting for a deposition. Mr. Gullett's counsel has not yet appeared, so the deposition has not been able to be rescheduled, but we have been told that an appearance is imminent.

Mr. Gullett's employment status and a determination of whether he is entitled to immunity is a matter of significant importance to Mr. Gullett, and is a central issue to Plaintiff's case. Mr. Gullett should be permitted the opportunity to be present at the hearing and to be properly represented by counsel, and Plaintiff should be permitted to take his deposition in advance of the hearing. Now that communication with Mr. Gullett has been established and the parties have been notified of Mr. Gullett's desire to defend himself at his deposition and at the hearing, Plaintiff respectfully requests that the Court allow for a continuance of the immunity hearing to allow for proper discovery to occur so the facts can be accurately presented to the

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Court, and so the interests of Paul Gullett, RN can be properly represented when the hearing takes place.

Plaintiff respectfully requests that the Court continue the immunity hearing presently scheduled for November 20, 2013. Plaintiff further proposes the scheduling of a brief status conference once Mr. Gullett's counsel appears so a reliable case schedule can be established.

Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was served upon the following counsel of record via ordinary U.S. mail, postage prepaid, this 11th day of November, 2013:

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