

2013 NOV 14 PM 3:17

IN THE COURT OF CLAIMS OF OHIO

YONG HUI SHEFFIELD, ET AL.,  
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Plaintiffs  
:  
:  
v.  
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:  
THE OHIO STATE UNIVERSITY  
MEDICAL CENTER,  
:  
:  
Defendant  
:

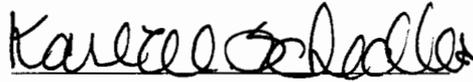
**ORIGINAL**  
Case No. 2013-00015  
Judge Patrick M. McGrath

**DEFENDANT’S MEMORANDUM IN REPSONSE TO  
PLAINTIFF’S MOTION TO CONTINUE IMMUNITY HEARING**

Plaintiff has moved the Court to continue the immunity determination proceeding scheduled for November 20, 2013. No specific date has been proposed for that proceeding to take place. This hearing has been scheduled for several months, and it is in the parties’ interest to obtain a prompt resolution of the immunity status of Nurse Paul Gullett. He was notified of this hearing in September, but only this week did defense counsel receive a telephone call from an attorney who may be entering an appearance on his behalf. It seems to defendant that the parties have had ample time to prepare for this hearing. Although Nurse Gullett delayed his decision to obtain counsel, that delay does not necessarily justify a postponement of this hearing. Defendant has subpoenaed a third-party witness, and has arranged for one its employees to testify on November 20. Nonetheless, defendant does not oppose the motion to continue this hearing, but does not join in the motion either. So, at the risk of being a labeled a “fence-sitter” defendant neither supports or opposes the motion for continuance, and is prepared to go forward on November 20, 2013, if that is the Court’s pleasure.

**ON COMPUTER**

Respectfully submitted,  
MICHAEL DEWINE  
Ohio Attorney General

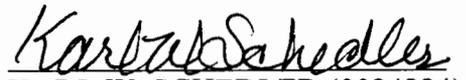


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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Memorandum was sent by regular U.S. mail,  
postage prepaid, this 14<sup>th</sup> day of November, 2013, to

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