

**ORIGINAL**  
IN THE COURT OF CLAIMS OF OHIO

2014 JAN 29 PM 3: 27

BEM D. ITIAVKASE, :  
 :  
 Plaintiff, : Case No. 2013-00715  
 :  
 -vs- :  
 :  
 WRIGHT STATE UNIVERSITY, :  
 :  
 Defendant. :

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**DEFENDANT'S ANSWER**

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Now comes Defendant, Wright State University, and for its Answer to Plaintiff's Complaint, states the following:

**FIRST DEFENSE**

1. Defendant denies each and every allegation in the Complaint.

**AFFIRMATIVE DEFENSES**

2. Plaintiff has failed to state a claim for which relief may be granted.
3. Defendant is immune.
4. Defendant's actions were discretionary.
5. Plaintiff's own actions were the cause of his injury.
6. Plaintiff's claims are barred by waiver and estoppel.
7. This court lacks jurisdiction.

FILED BY COMPUTER

WHEREFORE, Defendant requests that Plaintiff's Complaint be dismissed in its entirety at Plaintiff's costs and that Defendant be entitled to recover its costs expended herein.

Respectfully submitted,

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Ohio Attorney General

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing Answer was served upon the following counsel of record by ordinary U.S. mail, postage prepaid, this 29<sup>th</sup> day of January, 2014.

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