

**ORIGINAL**

FILED  
COURT OF CLAIMS  
OF OHIO

2014 FEB -3 PM 3: 39

IN THE COURT OF CLAIMS OF OHIO

YONG HUI SHEFFIELD, ET AL.,	:	
	:	
Plaintiffs	:	Case No. 2013-00013
	:	
v.	:	Judge Dale A. Crawford
	:	
THE OHIO STATE UNIVERSITY	:	
MEDICAL CENTER,	:	
	:	
Defendant	:	

ANSWER TO AMENDED COMPLAINT

Now comes the Defendant, the Ohio State University Medical Center, and for its Answer to the Amended Complaint, does hereby aver and state as follows:

1-2. Defendant denies, for want of knowledge, the allegations set forth in paragraphs 1 and 2 of the Amended Complaint.

3. Defendant admits the allegations set forth in paragraph 3 of the Amended Complaint.

4. By way of answer to the allegations set forth in paragraph 4 of the Amended Complaint, defendant denies that Paul Gullett, R.N., was its employee. Answering further, defendant denies, for want of knowledge, the allegations set forth in paragraph 4 of the Amended Complaint.

5. By way of answer to the allegations set forth in paragraph 5 of the Amended Complaint, defendant admits that documents purporting to be affidavits of merit are attached to the Amended Complaint.

**ON COMPUTER**

6. By way of answer to paragraph 6 of the Amended Complaint, defendant reiterates its previous answers.

7. Defendant denies, for want of knowledge, the allegations set forth in paragraph 7 of the Amended Complaint.

8. By way of answer to the allegations set forth in paragraph 8 of the Amended Complaint, defendant admits that Daniel Sheffield was a patient at The Ohio State University Medical Center in June, 2012, and states that his medical history is contained in the medical records which speak for themselves. Answering further, defendant denies all remaining allegations set forth in paragraph 8 of the Amended Complaint.

9-12. Defendant denies the allegations set forth in paragraphs 9, 10, 11, and 12 of the Amended Complaint.

13. By way of answer to paragraph 13 of the Amended Complaint, defendant reiterates its previous answers.

14-15. Defendant denies the allegations set forth in paragraphs 14 and 15 the Amended Complaint.

16. By way of answer to paragraph 16 of the Amended Complaint, defendant reiterates its previous answers.

17. By way of answer to the allegations set forth in paragraph 17 of the Amended Complaint, defendant denies, for want of knowledge, that Yong Hui Sheffield was the wife of Daniel Sheffield. Answering further, defendant denies the remaining allegations in paragraph 17 of the Amended Complaint.

18. By way of answer to the allegations set forth in paragraph 18 of the Amended Complaint, defendant denies, for want of knowledge, that Amber Sheffield was the daughter of Daniel Sheffield. Answering further, defendant denies the remaining allegations in paragraph 18 of the Amended Complaint.

19. Defendant denies the allegations set forth in paragraph 19 of the Amended Complaint.

20. By way of answer to paragraph 20 of the Amended Complaint, defendant reiterates its previous answers.

21. Defendant admits the allegations set forth in paragraph 21 of the Amended Complaint.

22. Defendant denies, for want of knowledge, the allegations set forth in paragraph 22 the Amended Complaint.

23. By way of answer to paragraph 23 of the Amended Complaint, defendant reiterates its previous answers.

24-25. Defendant denies the allegations set forth in paragraphs 24 and 25 the Amended Complaint.

26. Defendant denies all of the allegations set forth in the Amended Complaint not specifically admitted herein to be true.

FIRST AFFIRMATIVE DEFENSE

27. The Amended Complaint fails to state a claim upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

28. A specific percentage of the tortious conduct that proximately caused the injury or loss to plaintiffs is attributable to one or more persons from whom plaintiffs do not seek recovery in this action. See R.C. § 2307.23.

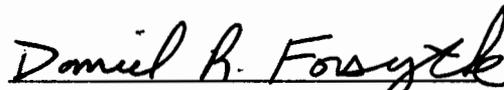
THIRD AFFIRMATIVE DEFENSE

29. Defendant reserves the right to assert any and all additional affirmative defenses as may become apparent through further discovery in this matter.

WHEREFORE, Defendant respectfully requests that Plaintiffs' Amended Complaint be dismissed in its entirety at Plaintiffs' costs and that Defendant be entitled to recover its costs expended herein. Additionally, Defendant respectfully requests that this Court apportion the appropriate percentage of negligence attributable to non-parties to this action.

Respectfully submitted,

MICHAEL DEWINE  
Ohio Attorney General

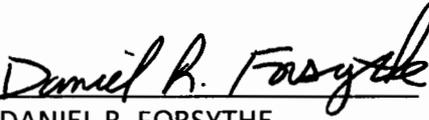


KARL W. SCHEDLER (0024224)  
DANIEL R. FORSYTHE (0081391)  
Assistant Attorneys General  
Court of Claims Defense  
150 E. Gay Street, 18th Floor  
Columbus, Ohio 43215  
(614) 466-7447  
Karl.Schedler@ohioattorneygeneral.gov  
Daniel.Forsythe@ohioattorneygeneral.gov  
COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer was sent by regular U.S. Mail, postage prepaid, this 3<sup>RD</sup> day of February, 2014, to:

Michael J. Rourke  
Robert P. Miller  
495 S. High St., Suite 450  
Columbus, Ohio 43215  
*Counsel for Plaintiff*

  
DANIEL R. FORSYTHE  
Assistant Attorney General