



Court of Claims of Ohio

The Ohio Judicial Center
65 South Front Street, Third Floor
Columbus, OH 43215
614.387.9800 or 1.800.824.8263
www.cco.state.oh.us

BEM D. ITIAVKASE

Plaintiff

v.

WRIGHT STATE UNIVERSITY

Defendant

Case No. 2013-00715

Magistrate Holly True Shaver

ORDER OF THE MAGISTRATE

2014 FEB -7 PM 1:37

FILED
COURT OF CLAIMS
OF OHIO

On January 29, 2014, defendant filed a motion to file its answer, instanter. In the motion, defendant relates that it was not able to timely file its answer due to a medical emergency suffered by counsel for defendant.

Civ.R. 6(B) states:

“When by these rules or by a notice given thereunder or by order of court an act is required or allowed to be done at or within a specified time, the court for cause shown may at any time in its discretion * * * upon motion made after the expiration of the specified period permit the act to be done where the failure to act was the result of excusable neglect * * *.”

Upon review of the motion, the court finds that defendant’s failure to timely file its answer was the result of excusable neglect. Therefore, defendant’s motion is GRANTED, and its answer is deemed filed instanter.

HOLLY TRUE SHAVER
Magistrate

JOURNALIZED

Case No. 2013-00715

- 2 -

ORDER

cc:

James P. Dinsmore
Peter E. DeMarco
Assistant Attorneys General
150 East Gay Street, 18th Floor
Columbus, Ohio 43215-3130

Bern D. Itiavkase
5960 Sundridge Drive
Cincinnati, Ohio 45224

002

FILED
COURT OF CLAIMS
OF OHIO

2014 FEB -7 PM 1:37

JOURNALIZED