

2014 FEB 10 AM 11:01

BEM D. ITIAVKASE :  
PLAINTIFF : Case No. 2013-00715  
-VS- :  
WRIGHT STATE UNIVERSITY, :  
DEFENDANT. :

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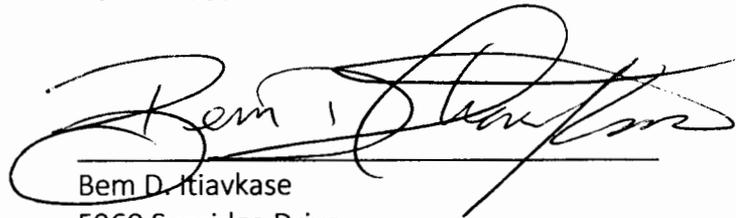
**PLAINTIFF'S OPPOSITION TO MOTION TO FILE ANSWER INSTANTER**

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Now comes Plaintiff, Bem D. Itiavkase, and respectfully requests that the court rejects the Motion To File Answer Instanter and to continue to trial. Despite the Defendant's counsel suffering a medical emergency, the defendant should then seek additional counsel to proceed to trial.

Respectfully submitted,

Bem D. Itiavkase



Bem D. Itiavkase  
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Bemmismaximus@hotmail.com  
Plaintiff Pro Se

END COMPUTER

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing  
Opposition for Motion to File Answer Instantly was served upon the following counsel of  
record by ordinary U.S. mail, postage prepaid, this 4<sup>th</sup> day of February, 2014.

Peter E. Demarco (0002684)  
James P. Dinsmore (0051798)  
Assistant Attorneys General  
Court of Claims Defense Section  
150 East Gay Street, 18<sup>th</sup> Floor  
Columbus, Ohio 43215



Bem D. Itiyakase

Plaintiff Pro se

IN THE COURT OF CLAIMS OF OHIO

BEM D. ITIAVKASE

PLAINTIFF

: Case No. 2013-00715

-vs-

WRIGHT STATE UNIVERSITY,

DEFENDANT.

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**PLAINTIFF'S ANSWER**

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Now comes the Plaintiff, Bem D. Itiavkase, to request that this court deny Wright State University's request for motion to file answer instanter because genuine issues /disputes of material fact regarding whether or not Wright State University failed to uphold the contract of admission by their own parameters and time frame given in the original acceptance letter and the subsequent definitions pertaining to that admission by Wright State University. The complaint exists in this case, as follows:

**FIRST RESPONSE**

1. Plaintiff was admitted by Defendant, then rejected without cause.

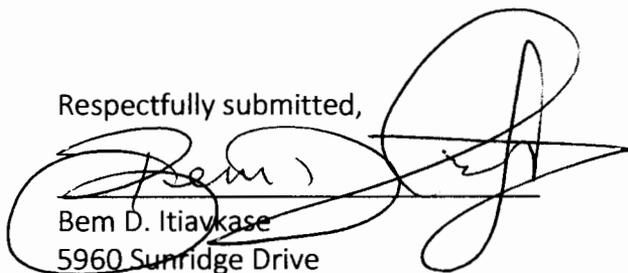
**AFFIRMATIVE RESPONSES**

2. Defendant failed to state the reason for dismissal prior to the end of the semester as stated in the admission letter.

3. Defendant breached the contract of admission which was given November 28<sup>th</sup>, 2012 and breached on March 6<sup>th</sup>, 2013 before the semester was over.
4. Plaintiff had original admission requirements changed by new administration on April 4<sup>th</sup>, 2013, 16 calendar days before the end of the semester which ended April 20<sup>th</sup>, 2013.
5. Plaintiff's actions were forced by Defendant's breach of contract.
6. Plaintiff was told by the director of the department of the time, that the new director and her superior breached the contract between the Plaintiff and the Defendant.
7. Plaintiff denies claims are barred by waiver and estoppel due to the rejection of admission without cause and before the specified time limit had expired.
8. This court has both Personal jurisdiction as well as subject matter jurisdiction to hear this case due to the Defendant acting as an agent of the State of Ohio.

Now, therefore, because the genuine facts of the rejection and the reasoning behind the claim brought fourth, the Plaintiff is entitled to the complaints specified to be heard by court. There exists several material facts which can only be resolved by the trier of fact at a trial.

Respectfully submitted,

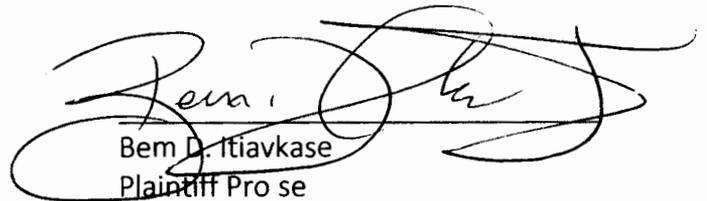


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