

ORIGINAL
IN THE COURT OF CLAIMS OF OHIO

FILED
COURT OF CLAIMS
OF OHIO

2014 FEB 24 PM 3:08

DARLENE LANE FERRARO

Plaintiff

v.

THE OHIO STATE UNIVERSITY
MEDICAL CENTER

Defendant

CASE NO. 2011-10371

JUDGE PATRICK M. McGRATH

MAGISTRATE
ROBERT VAN SCHOYCK

**DEFENDANT'S MOTION FOR LEAVE TO CONDUCT TRIAL DEPOSITION OF
GARY R. FURY AND JESSE R. FURY**

Defendant, The Ohio State University Medical Center, respectfully asks this Court for leave to depose Gary R. Fury and Jesse R. Fury in order to perpetuate their testimony for trial. Both are currently incarcerated and both are important witnesses in this case.

Gary Fury was driving the truck that was involved in the traffic collision at issue in this case. He is the one who chose to stop it in the middle of traffic at night, and can testify as to the reason he stopped. He is currently incarcerated at Belmont Correctional under prisoner number A633-212. His earliest possible release date is not until September 24, 2014, several months after the trial scheduled for April.

Jesse Fury was a passenger in the truck, and was outside the truck standing on the highway when the collision occurred. He witnessed the impact directly. He is currently incarcerated at Lorain Correctional Institution under prisoner number A652116. His earliest possible release date is not until October 20, 2014, several months after the trial scheduled for April.

ON COMPUTER

Rather than incur the security risk and expense to taxpayers of having these two individuals transported to the Court for the April trial, Defendant needs the opportunity to perpetuate their trial testimony by way of deposition.

Accordingly, Defendant respectfully requests leave to conduct the depositions of Gary R. Fury and Jesse R. Fury to perpetuate their testimony for trial.

Respectfully submitted,

MICHAEL DEWINE
Ohio Attorney General



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CERTIFICATE OF SERVICE

On February 24, 2014, a copy of this document was served via regular mail on the following:

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