

ORIGINAL

FILED
COURT OF CLAIMS
OF OHIO

IN THE COURT OF CLAIMS OF OHIO

2014 MAR 18 PM 3: 14

MATTHEW RIES, Admr., et al., :

Plaintiffs :

v. :

Case No. 2010-10335

THE OHIO STATE UNIVERSITY :
MEDICAL CENTER,

Judge Patrick M. McGrath

Defendant :

JOINT STIPULATION
RELEVANT TO IMMUNITY OF HOWARD ROTHBAUM, M.D.

(1) This is a medical malpractice action arising out of the care and treatment of Michael McNew that is now before this Court for a determination of the civil immunity of Doctor Howard Rothbaum pursuant to R.C. 2743.02(F).

(2) Michael McNew was a patient of Doctor Rothbaum at various dates during the years 2008 and 2009.

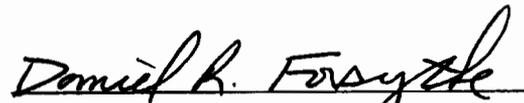
(3) At the time of his care and treatment of Michael McNew, Dr. Rothbaum was a clinical faculty member employed solely by The Ohio State University Medical Center ("OSUMC"), which included an appointment to the University's Primary Care Network. During the time in question, Dr. Rothbaum was never employed by Ohio State University Physicians, Inc. ("OSUP"), the typical practice plan during those years for university faculty physicians.

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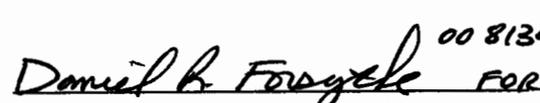
(4) The parties agree and stipulate that for any alleged negligence that may have occurred during Dr. Rothbaum's care and treatment of Michael McNew, that Dr. Howard Rothbaum has civil immunity. Therefore, the Court of Claims is the proper forum to determine any alleged negligence that may have occurred during Dr. Rothbaum's care and treatment of Michael McNew.

Respectfully submitted,

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