



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

MAR 19 AM 9:52
COURT OF CLAIMS
OF OHIO

ROY BUCHANAN

Plaintiff

V.

DEPARTMENT OF REHABILITATION
AND CORRECTION

Defendant

Case No. 2013-00671

Magistrate Robert Van Schoyck

ORIGINAL SCHEDULING NOTICE

Due to certain security concerns at The Ohio Judicial Center and in accordance with the entry by Chief Thomas J. Moyer journalized on August 5, 1987, THE COURT FINDS THAT it is necessary for the security and convenience of the court that the proceedings in this matter be held outside of Franklin County.

Pursuant to Civ.R.53, a magistrate on appointment by the court may be assigned to conduct all proceedings necessary for decision of referred matters.

Trial is set for *September 18, 2014 at 10:00 a.m.*, at Hocking Correctional Facility, Nelsonville, Ohio.

A pretrial conference shall be held on *August 14, 2014 at 10:30 a.m.* The court shall initiate the conference via telephone. During the conference, counsel must have either the authority to negotiate a settlement or the ability to contact the client for purposes of a settlement.

A case management conference has been set for *April 17, 2014 at 10:00 a.m.* The court shall initiate the conference via telephone. Parties shall be fully prepared to discuss issues relating to service of process, venue, pleadings, discovery, joinder of additional parties, theories of liability, damages, actions in other courts, issues of employee immunity and applicable defenses. The parties will also be expected to review the proposed trial date and to discuss the timing of discovery. Any proposed changes in the trial calendar will be considered at the case management conference only. **Participation from fully**

Case No. 2013-00671

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NOTICE

prepared and cooperative parties leads to a more productive and meaningful conference.

DANIEL R. BORCHERT
INTERIM CLERK, COURT OF CLAIMS OF OHIO

FILED
COURT OF CLAIMS
OF OHIO

2014 MAR 19 AM 9:50

cc:

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Assistant Attorney General
150 East Gay Street, 18th Floor
Columbus, Ohio 43215-3130

Roy Buchanan, #A484-576
P.O. Box 59
Nelsonville, Ohio 45764

Warden's Office
Hocking Correctional Facility
P.O. Box 59
Nelsonville, Ohio 45764

Additional Trial Requirements and Information

Subpoena

Any request for the issuance of a subpoena, including the issuance of a blank subpoena under Civ. R. 45(A) and any motion for an order designating a person to serve a subpoena under Civ. R. 45(C), must be filed with the clerk's office at least twenty-one days before the date of the trial. Any request for the issuance of a subpoena which is not timely filed need not be processed by the clerk's office. A sample request for the issuance of subpoena(s), request for issuance of subpoena(s) in blank, and subpoena form are enclosed. The subpoena may be filled out and used by the attorney of record. A copy of the subpoena shall be filed with the court prior to the service and again filed with the court after service has been made by the attorney, appointed process server or court reporter.

R.C. 2743.06 provides that the party at whose instance the witness appears is to pay the witness fees and mileage; such expenses are not taxed as costs and are not advanced by the court.

Marking Exhibits

Before commencement of trial, the attorneys shall mark all items to be placed in evidence with the enclosed labels or substantially similar labels. The items shall be marked in the following manner:

- (A) "Joint Exhibit (A, B, C, etc.);" for each item upon which counsel agree to introduce as a Joint Exhibit;
- (B) "Plt. (name) Exhibit (1, 2, 3, etc.);" or "Dft. (name) Exhibit (A, B, C, etc.);" for each item which plaintiff or defendant intends to offer but which cannot be marked as a joint exhibit.

A list of the marked items shall be given to the bailiff or staff attorney before the trial or evidentiary hearing.

Videotaped Testimony and Depositions

Videotaped testimony or videotaped depositions may be offered in accordance with Rule 13 of the Rules of Superintendence for Courts of Ohio. See L.C.C.R. 11(G).

Videoconference

Either party may present trial testimony by using the court's videoconferencing system. Requests to use the videoconferencing system shall be made at least fourteen days prior to trial. Please contact the assignment office at (614) 387-9800 for further information.

Pretrial Statements

Pursuant to L.C.C.R. 7(B), pretrial statements shall be filed and served at least seven days prior to the scheduled pretrial conference.

Motion to Convey

A motion to convey an inmate to the situs of trial is necessary when the plaintiff and/or a witness is incarcerated at a penal institution and is to be transported from that institution to the place of trial. The responsible party shall file a motion to convey any plaintiff and/or any witness incarcerated in a penal institution to the situs of trial. Such motion shall be filed at least seven days prior to the pretrial conference. Any response to the motion to convey shall be filed on or before the date of the pretrial conference.

Change of Address/Telephone

If either a party or counsel moves or changes telephone numbers, such person shall file written notice with the court indicating the new address or telephone number.