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

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COURT OF CLAIMS
OF OHIO
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DAVID A. BENTKOWSKI

Plaintiff

V.

OHIO LOTTERY COMMISSION

Defendant

Case No. 2014-00651

Judge Patrick M. McGrath

ORIGINAL SCHEDULING NOTICE

Trial is set for *August 31-September 2, 2015 at 10:00 a.m.*, at the Court of Claims of Ohio, The Ohio Judicial Center, 65 South Front Street, Third Floor, Columbus, Ohio 43215.

A pretrial conference shall be held on *July 22, 2015 at 10:00 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 *October 29, 2014 at 10:30 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 prepared and cooperative parties leads to a more productive and meaningful conference.**

MARK H. REED
CLERK, COURT OF CLAIMS OF OHIO

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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 filed in writing at least fourteen days prior to trial.

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.