

ORIGINAL

FILED
COURT OF CLAIMS
OF OHIO

IN THE COURT OF CLAIMS OF OHIO

2015 JAN -7 PM 3:08

BEM D. ITIAVKASE, :

Plaintiff, :

-vs- :

Case No. 2013-00715

WRIGHT STATE UNIVERSITY, :

Defendant. :

Magistrate Holly T. Shaver

DEFENDANTS PRETRIAL STATEMENT

Now comes Defendant, Wright State University, by and through counsel and hereby files its pretrial statement pursuant to this court's order.

I. APPEARANCES

1. Bem Itiavkase
5960 Sunridge Drive
Cincinnati, Ohio 45224
Plaintiff, Pro Se

2. James P Dinsmore
Peter E. DeMarco
150 E. Gay St. 18th Floor
Columbus, OH 43215
Counsel for Defendant

II. STATEMENT OF FACTS

Plaintiff, Bem Itiavkase, filed this claim against Defendant, Wright State University, alleging that he was improperly discharged from the University's MBA program. Plaintiff claims he suffered damages including emotional distress and related economic expenses associated with his attendance in the University's MBA program.

ON COMPUTER

Defendant denies Plaintiff's claims. Defendant asserts that Plaintiff was provisionally accepted into its MBA program and failed to meet the requirements to become conditionally accepted and continue in the program. Plaintiff unilaterally withdrew from the program prior to the end of the first semester. As a result of Plaintiff's withdrawal, Defendant refunded the tuition Plaintiff had paid upon his admission to the University.

III. ISSUES PRESENTED FOR REVIEW

- A. Whether defendant breached any duty of care owed to plaintiff?
- B. Whether plaintiff's own negligence proximately caused any resulting injuries?

IV. POTENTIAL WITNESSES

- A. Joann Bevelhymer
- B. Jim Munch
- C. Teresa Bedwell
- D. Robert Sweeney
- E. William Ayres
- F. Plaintiff, as upon cross-examination
- G. Any witnesses called by Plaintiff as upon cross-examination
- H. Any persons necessary to authenticate any documents.

V. POTENTIAL EXHIBITS

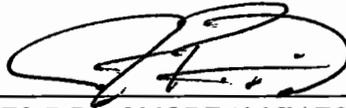
- A. All documents related to Plaintiff's admission and withdrawal from Wright State University's MBA program.
- B. Any documents exchanged by the parties during discovery.

VI. MISCELLANEOUS

Defendant reserves its right to amend this pretrial statement.

Respectfully submitted,

MICHAEL DEWINE
Ohio Attorney General

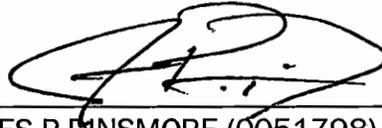


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Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Defendant's Pretrial Statement was sent by regular U.S. Mail, postage prepaid, on this 7th day of January, 2015 to:

Bem Itiavkase
5960 Sunridge Drive
Cincinnati, Ohio 45224



JAMES P DINSMORE (0051798)
Assistant Attorney General