

**COPY**

BEM D. ITIAVKASE :  
 Plaintiff : Case No. 2013-00715  
 v. :  
 WRIGHT STATE UNIVERSITY :  
 Defendant :

**PLAINTIFF'S PRETRIAL STATEMENT**

Now comes plaintiff, Bem D. Itiavkase, by and through counsel and hereby files its pretrial statement pursuant to this court's order.

**I. APPEARANCES**

1. Bem Itiavkase  
 5960 Sunridge Dr.  
 Cincinnati, Ohio 45224  
 Plaintiff, Pro Se
2. James P. Dinsmore  
 Peter E. DeMarco  
 150 E. Gay St. 18<sup>th</sup> Fl.  
 Columbus, OH 43215  
 Counsel for Defendant

FILED  
 COURT OF CLAIMS  
 OF OHIO  
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**II. STATEMENT OF FACTS**

Plaintiff, Bem D. Itiavkase, filed this claim against Defendant, Wright State University, stating that he was improperly discharged from the University's MBA program. Plaintiff points out that emotional distress and related economic expenses associated with his attendance in the University's MBA program,

**ON COMPUTER**

because of the approval and denial letter received from defendant before the allotted amount of time was fulfilled.

Plaintiff attests this claim against Defendant. Plaintiff asserts that Defendant did not comply with their own stipulations on admission within the rights of provisional acceptance into its MBA program and failed to allow Plaintiff to fulfill the provisions set forth. Defendant admitted to wrongly rejecting Plaintiff, yet still did not allow, Plaintiff to continue in the program under the original guidelines. As a result, Plaintiff wasted time, lost ad wasted money and opportunity costs were lost to the time spent attending the University and spending time and money to petition multiple times for a program that Plaintiff was admitted to provisionally.

III. **ISSUES PRESENTED FOR REVIEW**

- A. Defendant's clear breach of contract
- B. Defendant's lack of consistency
- C. Defendant's collusion with Ohio Board of Regents regarding admission issue and how to go about resolving the situation.
- D. Whether Defendant purposely put off dealing with the situation hoping it would go away with time.

IV. **POTENTIAL WITNESSES**

- A. Michael R. Evans
- B. Joann Bevelhymer
- C. Jim Munch
- D. Amy Johnson
- E. Teresa Bedwell
- F. Robert Sweeney
- G. William Ayres
- H. Eli Faes
- I. Carol Wang
- J. Robert Hickey Jr.
- K. Mark Solomon
- L. David Hopkins
- M. Any witness called upon by Defendant as upon cross-examination
- N. Any person necessary to authenticate any documents.

V. **POTENTIAL EXHIBITS**

- A. All documents related to Plaintiff's admission and withdrawal from  
WSU's MBA program.
- B. Any documents exchanged by the parties during discovery.
- C. Any recordings obtained pursuant to ORC 2933.52

VI. **MISCELLANEOUS**

Plaintiff reserves the right to amend this pretrial statement.

Respectfully submitted,

Bem D. Itiavkase

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Cincinnati, OH 45224  
(513)290-7930  
Bemmismaximus@hotmail.com  
Plaintiff Pro Se

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing Plaintiff's Pretrial Statement was served upon the following counsel of record by ordinary U.S. mail, postage paid, this \_\_\_\_\_ day of January, 2015.

Peter E. Demarco (0002684)  
James P. Dinsmore (0051798)  
Assistant Attorneys General  
Court of Claims Defense Section  
150 East Gay Street, 18<sup>th</sup> Floor  
Columbus, Ohio 43215

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Bem D. Itiavkase  
Plaintiff Pro Se