

2015.FEB 19 PM 12: 35

ORIGINAL

IN THE OHIO COURT OF CLAIMS

Nathan C. Hall, MD, PhD
1115 Old Post Circle
Garnet Valley, PA 19060

Plaintiff,

v.

The Ohio State University
Wexner Medical Center
650 Ackerman Road
Columbus, OH 43218,

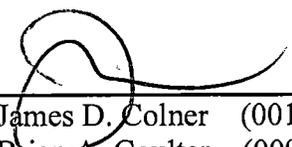
Defendant.

Case No. 2015-00038
Judge Dale A. Crawford

PLAINTIFF'S MOTION TO DETERMINE
RICHARD WHITE, MD'S
ENTITLEMENT TO IMMUNITY

Now comes the Plaintiff, pursuant to Local Rule 4.1 and RC 2743.02(F) and moves the Court to make a determination of Richard White, MD's entitlement to personal immunity under RC 9.86.

Respectfully submitted,


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ON COMPUTER

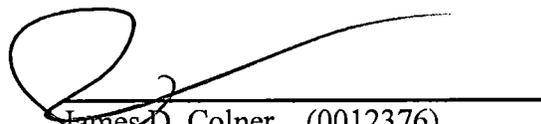
MEMORANDUM IN SUPPORT

Plaintiff's Amended Complaint alleges that all of his five (5) claims for relief are based upon the illegal misconduct of Richard White, M.D., Plaintiff's immediate supervisor at Defendant's medical center, acting outside the scope of his employment or with malice, bad faith or recklessness against Plaintiff. See Paragraphs 1(b), (c), (e) and (7).

RC 2743.02(F) provides this Court with exclusive, original jurisdiction to determine whether Dr. White is entitled to personal immunity under RC 9.86 and whether the Court of Common Pleas has jurisdiction over Plaintiff's claims against Dr. White.

Pursuant to Local Rule 4.1, Plaintiff respectfully urges this Court to make that determination.

Respectfully submitted,



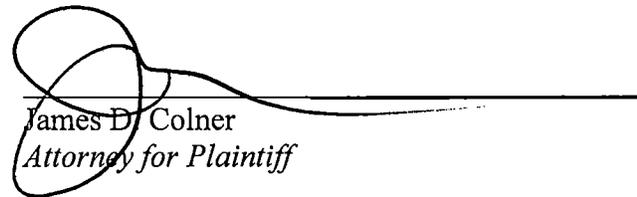
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CERTIFICATE OF SERVICE

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The undersigned certifies that he served a copy of Plaintiff's Motion to Determine Defendant Richard White, M.D.'s Entitlement to Immunity by regular U.S. Mail, postage prepaid, on this 19th day of February, 2015, upon:

Fred G Pressley, Jr.
Jason E. Starling
Porter Wright Morris & Arthur - 2
41 S High Street
Suite 3200
Columbus, OH 43215-6194


James D. Colner
Attorney for Plaintiff