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IN THE COURT OF CLAIMS OF OHIO

DARLENE LANE FERRARO,

Plaintiff,

v.

OHIO STATE UNIVERSITY
MEDICAL CENTER,

Defendant.

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Case No. 2011-10371

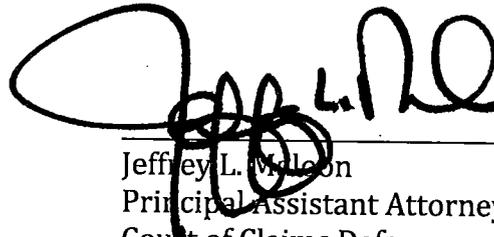
Judge Patrick M. McGrath

DEFENDANT'S MOTION FOR A CONTINUANCE OF THE DAMAGE TRIAL

Defendant The Ohio State University Medical Center ("OSUMC") hereby respectfully requests a continuance of the damage trial that is currently scheduled for May 13, 2015. A memorandum in support of this motion is set forth below.

Respectfully submitted,

MICHAEL DeWINE
Ohio Attorney General



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MEMORANDUM IN SUPPORT

On December 19, 2014, the Court issued a liability decision in Plaintiff's favor holding Defendant one-third responsible for the wrongful death of Junior Lane. In light of the Court's ruling, Defendant served discovery requests upon Plaintiff the last week of December 2014. A case management conference was subsequently held on January 7, 2015, during which the damage trial was set for May 13, 2015. The parties declined the Court's suggestion to set discovery deadlines and, instead, mutually agreed to move forward with discovery in a timely manner.

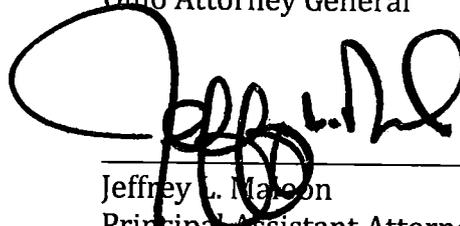
Plaintiff has yet to respond to Defendant's initial discovery requests. Defendant has also requested to depose the decedent's statutory beneficiaries and to be provided pathology tissue from the decedent's lungs stored within the Cuyahoga County Coroner's Office. Those requests have also gone unanswered.

The trial of this matter is less than two months away. Plaintiff has failed to respond to relevant discovery, seek an extension of time to do so, or further explain the lack of response.

Based upon the foregoing, Defendant OSUMC respectfully moves the Court to (1) continue the damage trial currently set for May 13, 2015 and, (2) schedule a status conference in order to set discovery deadlines and obtain a new trial date.

Respectfully submitted,

MICHAEL DeWINE
Ohio Attorney General



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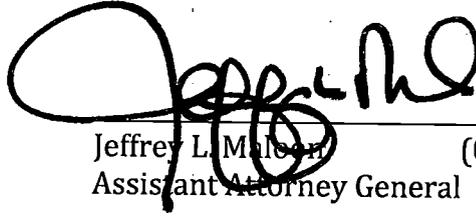
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing motion was served via electronic transmission this 31st day of March 2015, upon the following counsel of record:

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