



SECOND AFFIRMATIVE DEFENSE

6. A specific percentage of the tortious conduct that proximately caused the injury or loss to plaintiffs is attributable to one or more persons from whom plaintiffs do not seek recovery in this action. See R.C. § 2307.23.

THIRD AFFIRMATIVE DEFENSE

7. The Complaint is barred, in whole or in part, by the applicable statutes of limitation, and by the doctrines of contributory negligence, comparative negligence, discretionary immunity, and assumption of the risk.

FOURTH AFFIRMATIVE DEFENSE

8. Plaintiff has failed to attach an affidavit of merit as required under Civ. R. 10(D)(2).

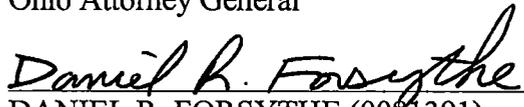
FIFTH AFFIRMATIVE DEFENSE

9. Defendant reserves the right to assert any and all additional affirmative defenses as may become apparent through further discovery in this matter.

WHEREFORE, defendant respectfully requests that plaintiff's Complaint be dismissed in its entirety at plaintiff's costs and that defendant be entitled to recover its costs expended herein. Additionally, defendant respectfully requests that this Court apportion the appropriate percentage of negligence attributable to non-parties to this action.

Respectfully submitted,

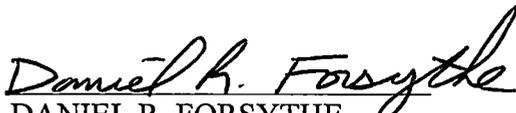
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COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer was sent by regular U.S. Mail,  
postage prepaid, this 1st day of April, 2015, to:

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*Counsel for Plaintiff*

  
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