

**ORIGINAL**

FILED  
COURT OF CLAIMS  
OF OHIO

2015 APR 13 AM 10:35

IN THE COURT OF CLAIMS OF OHIO

DARLENE LANE FERRARO, etc.	)	
	)	CASE NO: 2011-10371
Plaintiff	)	
	)	JUDGE PATRICK M. MCGRATH
v.	)	
	)	
THE OHIO STATE UNIVERSITY MEDICAL	)	<u>PLAINTIFF'S RESPONSE TO</u>
CENTER	)	<u>DEFENDANT'S MOTION FOR</u>
	)	<u>CONTINUANCE</u>
Defendant	)	

Plaintiff is in receipt of Defendant Ohio State University Medical Center's request to continue the damage trial which is currently scheduled for May 13, 2015. Plaintiff recently responded to Defendant's Interrogatories and Request for Production of Documents related to damages. In addition, the parties recently received a ruling by the Court regarding the scope of a subpoena directed to the Ohio Department of Corrections and Rehabilitation. It is anticipated that the amount of records received will be voluminous once those are produced.

With respect to Defendant's statements regarding the need to depose statutory beneficiaries, Plaintiff will make the fiduciary, Darlene Lane Ferraro, available for deposition at a mutually convenient time. In addition, Plaintiff will attempt to coordinate the depositions of non-party statutory beneficiaries with defense counsel. Finally, defense counsel notes the need

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**ON COMPUTER**

for pathology tissue from the Decedent's lungs stored with the Cuyahoga County Coroner's Office. Plaintiff is not in possession of these tissues, but would not oppose their production.

In light of the above, Plaintiff agrees that the damage trial should be re-scheduled to allow Defendant to take the parties' depositions and receive requested and/or subpoenaed records.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing *Plaintiff's Response to Defendant's Motion for Continuance* was served via electronic transmission and U.S. Mail this 8th day of April 2015 upon the following counsel of record:

Michael D. DeWine  
Ohio Attorney General  
c/o Jeffrey L. Maloon  
Assistant Attorney General  
Court of Claims Defense Section  
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April 8, 2015

Court of Claims  
Attention: Civil Filing Clerk  
65 South Front Street, 3<sup>rd</sup> Floor  
Columbus, Ohio 43215

Re: *Darlene Lane Ferraro, etc., v. The Ohio State University Medical Center*  
Case No. 2011-10371

Dear Sir/Madam:

Enclosed please find an original and one copy of *Plaintiff's Response to Defendant's Motion for Continuance*. Please file the original and return a time-stamped copy in the envelope provided.

Thank you for your kind cooperation.

Very truly yours,



W. CRAIG BASHEIN

WCB/mbk  
Enclosures

cc: Jeffrey Maloon, Esq. (with enc.)

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