

THE COURT OF CLAIMS OF OHIO
The Ohio Judicial Center
65 South Front Street, Third Floor
Columbus, Ohio 43215

FILED
COURT OF CLAIMS
OF OHIO

2015 JUN 29 AM 10:44

Hannah Scolaro : Case No. 2015 0304 AD
Plaintiff, : **INVESTIGATION REPORT**
v. :
Ohio University :
Defendant. :
:

Defendant, Ohio University (hereinafter "Defendant"), by and through its General Counsel, Linda L. Lonsinger, submits the following Investigation Report in response to the Plaintiff, Hannah Scolaro's (hereinafter "Plaintiff") Complaint.

1. Response to Blank(s) 9 through 20:

RESPONSE TO BLANK (9):

To the best of Defendant's knowledge, this is a true and accurate statement.

RESPONSE TO BLANK (10):

The Defendant is without sufficient information to respond to Blank (10).

RESPONSE TO BLANK (11):

The Defendant is without sufficient information to respond to Blank (11).

RESPONSE TO BLANK (12):

The Defendant is without sufficient information to respond to Blank (12).

RESPONSE TO BLANK (13):

To the best of Defendant's knowledge, Plaintiff sustained injury to her teeth as stated in her Complaint based on Plaintiff's Exhibits, however, Defendant denies any liability for such injury.

RESPONSE TO BLANK (14):

To the best of Defendant's knowledge, this is the amount charged to Plaintiff for the dental work performed on February 23, 2015 based on the itemized billing statement submitted by Plaintiff.

RESPONSE TO BLANK (15):

Plaintiff, Hannah Scolaro, as upon cross examination; and
Alyssa Menosky, as upon cross examination.

Defendant reserves the right to name additional witnesses as this matter continues to develop.

RESPONSE TO BLANK (16):

Defendant has no knowledge as to Plaintiff's insurance coverage.

RESPONSE TO BLANK (17):

Defendant has no knowledge as to Plaintiff's insurance coverage.

RESPONSE TO BLANK (18):

Defendant has no knowledge as to Plaintiff's insurance coverage.

RESPONSE TO BLANK (19):

Defendant has no knowledge as to Plaintiff's insurance coverage.

RESPONSE TO BLANK (20):

Defendant has no knowledge as to Plaintiff's coverage under Medicare or Medicaid.

2. State in writing the terms of any verbal contract: None

3. State the name, business address and telephone number of the employee of the defendant agency to whom inquiries regarding this claim may be made:

Linda Lonsinger
Associate General Counsel
160 West Union Street Office Center 150
1 Ohio University
Athens, Ohio 45701-2979
740.593.2626

4. Include two copies of all pertinent witness statements, depositions, contracts, internal investigation reports, police reports, maps, charts, diagrams, photographs, etc., with one copy attached to each copy of the report: None.

5. Include copies of all pertinent agency rules, regulations, standard operating procedures, etc., with one copy attached to each copy of the report: None.

6. State the legal position of the agency:

Defendant, Ohio University disputes the claim of the Plaintiff. Plaintiff stated that she walked behind a University building by the dumpsters “and slipped on the ice on the hill and fell hitting her 2 front teeth on the sidewalk”. The date of the fall was February 21, 2015. It was a winter day when snow or ice is commonplace and should be expected. It is well settled in Ohio that natural accumulations of snow and ice are generically treated as an open and obvious hazard. As stated in *Brinkman v Ross*, (1993), 68 Ohio St 3d 82,84, “Everyone is assumed to appreciate the risks associated with natural accumulations of ice and snow and, therefore, everyone is responsible to protect himself or herself against the inherent risks presented by natural accumulations of ice and snow.” The University therefore disputes the plaintiff’s claim for damages.

7. State any other information the agency wishes to have considered: None.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Linda Lonsinger", written over a horizontal line.

Linda Lonsinger, Esq. (9038950)
Associate General Counsel
160 West Union Street Office Center 150
1 Ohio University
Athens, Ohio 45701-2979
740.593.2626
lonsinge@ohio.edu



OHIO
UNIVERSITY
Legal Affairs

FILED
COURT OF CLAIMS
OF OHIO

2015 JUN 29 AM 10:44

Office of Legal Affairs
West Union Street Office Center 150
1 Ohio University
Athens OH 45701-2979

T: 740.593.2626
F: 740.593.0200

June 23, 2015

The Ohio Judicial Center
Court of Claims of Ohio
Attn: Clerk of Court
65 South Front Street, Third Floor
Columbus, OH 43215

Re: Scolaro v. Ohio University
Case No. 2014-00304-AD

To Whom it May Concern:

Please find enclosed herein the original and three (3) copies of the Investigation Report. Please file same and return a time stamped copy to me in the enclosed self-addressed stamped envelope enclosed for your convenience.

Thank you in advance for your time and attention to this matter. If you have any questions or wish to discuss this matter further, please feel free to contact me.

Sincerely,

Miranda L. West
Legal Administrative Assistant

MLW/me
Enclosures