

**THE COURT OF CLAIMS OF OHIO**

The Ohio Judicial Center  
65 South Front Street, Third Floor  
Columbus, Ohio 43215

2015 AUG 17 PM 12: 27

Hannah Scolaro : Case No. 2015 0304 AD  
Plaintiff, : **DEFENDANT’S MOTION TO**  
v. : **ALLOW DISCOVERY**  
Ohio University :  
Defendant. :  
:

Defendant respectfully requests the permission of the Clerk, under Rule 6(F) of the Rules of the Court of Claims, to engage in limited discovery for the purpose of determining the plaintiff’s status as a Medicare and/or Medicaid beneficiary.

Pursuant to Section 111 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (“MMSEA”), the Defendant has a duty to report any settlement or payment made to a Medicare or Medicaid beneficiary for personal injuries that include medical expenses. The Defendant will require that information to fulfill its duties under the MMSEA and avoid the potential consequences for any failure to do so in the event that a payment is made in this case. The Defendant’s duties include obtaining information regarding whether any personal-injury claimant is a Medicare or Medicaid recipient and if so, the Medicare or Medicaid recipient’s gender, date of birth, social security number, Medicare or Medicaid number, and possibly other matters. The Defendant cannot determine all of this information from the face of the form Complaint filed by the Plaintiff in this matter. Therefore, limited discovery will be necessary to obtain this information.

Accordingly, the Defendant respectfully requests permission to engage in limited discovery for this purpose as allowed by under Rule 6(F). The proposed Interrogatories are attached hereto and incorporated herein.

Respectfully submitted,



Linda Lonsinger, Esq. (0038950)  
Associate General Counsel  
160 West Union Street Office Center 150  
1 Ohio University  
Athens, Ohio 45701-2979  
740.593.2626  
[lonsinge@ohio.edu](mailto:lonsinge@ohio.edu)  
Counsel for Defendant, Ohio University

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing *Defendant's Motion to Allow Discovery* was served via ordinary U.S. Mail on this \_\_\_ day of August, 2015 upon the following:

Hannah Scolaro  
4754 W. Bath Road  
Akron, Ohio 44333



Linda Lonsinger, Esq.  
Associate General Counsel  
Counsel for Defendant, Ohio University

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

|                 |   |  |
|-----------------|---|--|
| Hannah Scolaro  | : | Case No. <u>2015 0304 AD</u>                   |
| Plaintiff,      | : | <b>Defendant, Ohio University's</b>            |
| v.              | : | <b>Combined First Set of Interrogatories</b>   |
| Ohio University | : | <b>and Request for Production of Documents</b> |
| Defendant.      | : | <b>to Plaintiff, Hannah Scolaro</b>            |

Pursuant to Civ. R. 33 and 34, Defendant, Ohio University ("Defendant") propounds the following Interrogatories and Request for Production of Documents upon Plaintiff, Hanna Scolaro ("Plaintiff") to be plainly and fully answered in writing under oath within twenty-eight (28) days after service. Pursuant to Rule 26, these interrogatories are deemed to be continuing, so as to require supplementation as specified by that Rule.

**INSTRUCTIONS**

1. The space for YOUR answer following each interrogatory and request for production is furnished for YOUR convenience and is not intended to limit YOUR response or to suggest the length of the answer that is desired. Full and complete answers are requested. If necessary, attach additional sheets to complete any answer that requires more space.
2. When an interrogatory and request for production does not specifically request a particular fact, but such fact is necessary in order to make the answer to the interrogatory or request for production comprehensible, complete, or not misleading, YOU are to include such fact as part of the answer and the interrogatory or request for production shall be deemed specifically to request such fact.

3. When, after a reasonable investigation using due diligence, YOU are unable to answer any interrogatory or request for production or any part thereof because of lack of information available to YOU, describe the type of information which YOU claim is not available. In addition, describe what knowledge YOU have concerning the unanswered portion of the interrogatory or request for production.

#### **DEFINITIONS**

1. "YOU" and "YOUR," shall refer to Plaintiff, Hannah Scolaro and any other person or persons acting or purporting to act on her behalf.
2. "Medicare Recipient" shall mean the receipt or award of Medicare benefits to Plaintiff, Hannah Scolaro for payment of injuries received as a result of the alleged incident on February 21, 2015.
3. "Medicaid Recipient" shall mean the receipt or award of Medicaid benefits to Plaintiff, Hannah Scolaro for payment of injuries received as a result of the alleged incident on February 21, 2015.

#### **INTERROGATORIES & REQUEST FOR PRODUCTION OF DOCUMENTS**

**INTERROGATORY NO. 1:** State whether or not you are a Medicare recipient.

**RESPONSE:**

**INTERROGATORY NO. 2:** If your response to Interrogatory No. 1 is in the affirmative, please state the following:

- a. Your gender;
- b. Your date of birth;
- c. Your social security number; and
- d. Your Medicare number.

**RESPONSE:**

**REQUEST FOR PRODUCTION OF DOCUMENT NO. 1:** If your response to Interrogatory No. 1 is in the affirmative, please produce a copy of any and all documentation with respect to your Medicare claim, including, but not limited to, invoices, payments receipts, and or correspondence from the Ohio Department of Medicare, Ohio Tort Recovery Unit.

**INTERROGATORY NO. 3:** State whether or not you are a Medicaid recipient.

**RESPONSE:**

**INTERROGATORY NO. 4:** If your response to Interrogatory No. 3 is in the affirmative, please state the following:

- a. Your gender;
- b. Your date of birth;
- c. Your social security number; and
- d. Your Medicare number.

**RESPONSE:**

**REQUEST FOR PRODUCTION OF DOCUMENT NO. 2:** If your response to Interrogatory No. 3 is in the affirmative, please produce a copy of any and all documentation with respect to your Medicaid claim, including, but not limited to, invoices, payments receipts, and or correspondence from the Ohio Department of Medicaid and/or CMS - Centers for Medicare & Medicaid Services.

Respectfully submitted,

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Linda Lonsinger, Esq. (0038950)  
Associate General Counsel  
160 West Union Street Office Center 150  
1 Ohio University  
Athens, Ohio 45701-2979  
740.593.2626  
[lonsinge@ohio.edu](mailto:lonsinge@ohio.edu)  
Counsel for Defendant, Ohio University

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing *Defendant, Ohio University's First Set of Combined Interrogatories and Request for Production of Documents to Plaintiff Hannah Scolaro* was served via ordinary U.S. Mail on this \_\_\_ day of August, 2015 upon the following:

Hannah Scolaro  
4754 W. Bath Road  
Akron, Ohio 44333

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Linda Lonsinger, Esq.  
Associate General Counsel  
Counsel for Defendant, Ohio University



**OHIO**  
UNIVERSITY  
Legal Affairs

FILED  
COURT OF CLAIMS  
OF OHIO

2015 AUG 17 PM 12: 28

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

August 13, 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 *Defendant's Motion to Allow Discovery*. Please file same and return a time stamped copy to me in the enclosed self-addressed stamped envelope enclosed for your convenience. *MLW*

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  
cc: Hannah Scolaro