

ORIGINAL

IN THE COURT OF CLAIMS OF OHIO

FILED  
COURT OF CLAIMS  
OF OHIO

CHRISTOPHER BELL

Plaintiff

v.

OHIO DEPARTMENT OF  
REHABILITATION AND CORRECTION

Defendant

Case No. 2015-00287

2015 DEC 31 PM 3:23

Magistrate Robert Van Schoyck

DEFENDANT'S PRE-TRIAL  
STATEMENT

**I. INTRODUCTION**

Trial is set on the issue of liability for February 11, 2016, at 10:00 a.m. at Toledo Correctional Institution (ToCI).

**II. STATEMENT OF FACTS**

Plaintiff alleges that on five separate occasions, he either fell down the stairs or fell from the top bunk while he was on a bottom bunk and bottom range restriction. The first occasion allegedly happened at Richland Correctional Institution (RiCI) on May 12, 2014, when he allegedly fell out of the top bunk. The second was at ToCI on July 1, 2014, and he allegedly fell down the stairs from the top range. The next fall was allegedly on September 10, 2014, when he again fell down the stairs from the top range at ToCI. The fourth allegedly happened on September 23, 2014, when he fell down the stairs coming from the top range. He alleges the final fall was on September 24, 2014, when he fell from the top bunk.

**III. ISSUES**

1. What duty did DRC have?
2. Did it breach that duty?
3. Was Plaintiff injured?

4. Did DRC's breach cause Plaintiff's injury?
5. Was Plaintiff comparatively negligent? If so, was his negligence greater than any negligence by DRC?
6. Was Plaintiff's own negligence the cause of his injury?
7. Were Plaintiff's intentional acts the cause of his injury?

**IV. WITNESSES AND EXHIBITS**

Defendant may call the following witnesses to testify at trial:

1. Plaintiff on cross examination,
2. CO Reitmeier
3. Captain Green
4. Lt. Copley
5. CO Hamilton
6. CO Shields
7. CO Brugh
8. CO Scott
9. Nurse Matthews
10. Ms. Burtock
11. Health Care Administrator
12. Any witness called or identified by Plaintiffs, as upon cross examination
13. Others as needed to refute Plaintiff's claims.

Defendant reserves the right to amend this list.

Defendant may introduce the following exhibits at trial:

1. All documents attached to pleadings or motions previously filed.

2. All documents turned over in discovery, whether in response to a Request, at a deposition, or otherwise.
3. Medical Records
4. Incident Reports
5. Log Books
6. Informal Complaints
7. Notification of Grievances; Disposition of Grievances
8. Deposition of CO Hamilton

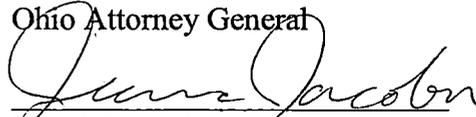
Defendant reserves the right to amend this list.

V. PENDING MOTIONS

None.

Respectfully submitted,

MICHAEL DEWINE  
Ohio Attorney General



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COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

On December 31, 2015, I emailed a copy of this document to:

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