

2016 JUL 15 PM 3:11

**ORIGINAL**

IN THE COURT OF CLAIMS OF OHIO

JEREMY TESTER  
2643 Natural Tunnel Parkway  
Duffield, Virginia 24244

Plaintiff,

vs.

THE OHIO STATE UNIVERSITY  
WEXNER MEDICAL CENTER  
Attn: Administrator  
Columbus, Ohio 43210

Defendants.

Case No: 2016-

2016 - 00546

Judge \_\_\_\_\_

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COMPLAINT  
(Medical Negligence)

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FACTS AND JURISDICTION

1. Plaintiff Jeremy Tester is an individual residing in Duffield, Virginia.
2. Defendant The Ohio State University Wexner Medical Center is engaged in the business of providing treatment for consideration to those in need of medical care.
3. Physicians employed by Defendant provided medical care and treatment to Plaintiff in September of 2013.

4. On August 25, 2014, Plaintiff sent a letter of notice to Defendant, pursuant to R.C. § 2305.113, to inform the Defendant of a possible action against it.

5. Subsequently, Defendant consented to various extensions of the statute of limitations applicable to this claim, extending the applicable statute of limitations to July 1, 2016.

6. Defendant has agreed that no Affidavit of Merit is required for this filing.

CLAIMS FOR RELIEF OF PLAINTIFF AGAINST DEFENDANT

**Count I: Negligence**

7. Defendant, by and through actual or ostensible agents or employees, was professionally negligent and fell below the accepted standards of medical care.

8. Defendant, individually or by and through agents or employees, failed to exercise the degree of care required of reasonably skillful and prudent physicians, specialists, and/or other health care professionals under similar circumstances by, *inter alia*, causing significant injury to Plaintiff's left knee during a surgery to repair a broken tibia and fibula in Plaintiff's left leg.

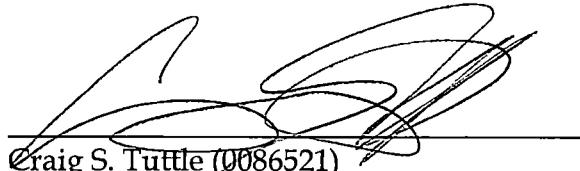
9. As a direct and proximate result of Defendant's negligence as stated above, Plaintiff has suffered severe and permanent injuries, *inter alia*, a full thickness lesion in the trochlear groove of the knee. Said injuries have caused Plaintiff pain and suffering and mental anguish, and will continue to do so in the future due to the permanent nature of his injuries.

10. As a further direct and proximate result of the negligence of Defendant, Plaintiff has incurred hospital, medical, and other related expenses for the necessary treatment of his knee injuries.

11. As a further direct and proximate result of the negligence of Defendants, Plaintiff has sustained a loss of income, in an as yet undetermined amount.

**WHEREFORE**, Plaintiff demands judgment against Defendant in an amount in excess of \$25,000.00, plus interest, the costs of this action, and any other relief this Court deems just and equitable.

Respectfully Submitted,



Craig S. Tuttle (0086521)  
LEESEBERG & VALENTINE  
175 S. Third Street, Penthouse One  
Columbus, Ohio 43215  
Tel: 614/221.2223  
Fax: 614/221.3106  
Email: ctuttle@leesebergvalentine.com

*Attorney for Plaintiff*