

IN THE COURT OF CLAIMS OF OHIO

OHIO STATE UNIVERSITY :
MEDICAL CENTER :
 :
Plaintiff/Defendant : CASE NO. 2001-05561-PR
 :
 : JUDGMENT ENTRY
v. :
Judge J. Warren Bettis :
JOSEPH T. CALOVINI, et al. :
 :
Defendants/Plaintiffs :

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{¶1} On September 25, 2002, this case was tried to the court on the issues of liability and damages.¹ The only disputed matter to be determined at trial was whether Naomi J. Calovini is liable to defendant, Ohio State University Medical Center (OSUMC), for Joseph T. Calovini's outstanding medical bills.

{¶2} Robert M. Sneed, supervisor for financial services at OSUMC, testified that his job duties included collecting past due debts for various hospitals operated by OSUMC, and that Joseph T. Calovini owes a past due amount of \$51,826.72 for medical services.

{¶3} Naomi Calovini testified that she has been married to Joseph T. Calovini for nine years; that she was married to him at the time he received medical treatment from OSUMC; that she has not been employed at any time during her marriage; that she has never

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At trial, defendants/plaintiffs dismissed their remaining counterclaims.

provided financial support to her husband; and that she has no independent means to pay his outstanding medical bills.

{¶4} Based upon the evidence presented at trial, the court finds that Naomi J. Calovini has no ability to aid in the payment of her husband's medical bills that are owed to OSUMC. See *Ohio State Univ. Hosp. v. Kinkaid* (1990), 48 Ohio St.3d 78. Therefore, plaintiff/defendant has failed to prove by a preponderance of the evidence that Naomi J. Calovini is liable for the debt. Judgment is rendered in favor of Naomi J. Calovini. Court costs are assessed against plaintiff/defendant. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

J. WARREN BETTIS
Judge

Entry cc:

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