

[Cite as *Jacobs v. Univ. of Cincinnati Med. Ctr.*, 2003-Ohio-1780.]

IN THE COURT OF CLAIMS OF OHIO

THERESA M. JACOBS, et al. :
 :
 Plaintiffs : CASE NO. 2000-02879
 :
 v. : JUDGMENT ENTRY
 :
 UNIVERSITY OF CINCINNATI :
 MEDICAL CENTER :
 :
 Defendant :
 :
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{¶1} On February 15, 2002, this court determined that Jonathan P. Alspaugh, M.D. and Paul Esley Lewis, M.D. were not entitled to civil immunity and that the courts of common pleas had jurisdiction over civil actions against them based upon the allegations made in the complaint. On December 17, 2002, the court of appeals reversed the judgment of this court and remanded the case for further proceedings, as follows.

{¶2} “For the reasons stated in the memorandum decision of this court rendered herein on December 17, 2002, appellant’s assignments of error are sustained, and it is the judgment and order of this court that the judgment of the Ohio Court of Claims is reversed, and this cause is remanded to that court with instructions to enter findings that Drs. Alspaugh and Lewis are entitled to immunity, pursuant to R.C. 9.86, and to conduct further appropriate proceedings. Costs shall be assessed against appellees.” See *Theresa M. Jacobs, et al. v. Univ. of Cincinnati Medical Ctr.* (Dec. 17, 2002), Franklin App. No. 02AP-315.

{¶3} In accordance with the opinion and judgment entry of the court of appeals, this court finds that Jonathan P. Alspaugh, M.D. and Paul Esley Lewis, M.D. are entitled to civil immunity pursuant to R.C. 9.86 and 2743.02(F). Therefore, the courts of common

pleas do not have jurisdiction over civil actions against Jonathan P. Alspaugh, M.D. and Paul Esley Lewis, M.D.

{¶4} A status conference is hereby scheduled for *May 1, 2003, at 10:30 a.m.*, to discuss the status of the connected action. At the time of the conference, the court will contact counsel located outside of Franklin County via telephone.

JUDGE

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