

Court of Claims of Ohio

The Ohio Judicial Center
65 South Front Street, Third Floor
Columbus, OH 43215
614.387.9800 or 1.800.824.8263
www.cco.state.oh.us

WANYUN ZHONG, et al.

Plaintiffs

v.

UNIVERSITY OF TOLEDO

Defendant

Case No. 2013-00506

Judge Patrick M. McGrath
Magistrate Holly True Shaver

JUDGMENT ENTRY

{¶1} On June 3, 2014, the magistrate issued a decision recommending that the court issue a determination that Professor Vijay Devabhaktuni is entitled to civil immunity pursuant to R.C. 9.86 and 2743.02(F) and that the courts of common pleas do not have jurisdiction over any civil actions that may be filed against him based upon the allegations in this case.

{¶2} Civ.R. 53(D)(3)(b)(i) states, in part: “A party may file written objections to a magistrate’s decision within fourteen days of the filing of the decision, whether or not the court has adopted the decision during that fourteen-day period as permitted by Civ.R. 53(D)(4)(e)(i).” No objections were filed.

{¶3} Upon review of the record and the magistrate’s decision, the court determines that there is no error of law or other defect evident on the face of the magistrate’s decision. Therefore, the court adopts the magistrate’s decision and recommendation as its own, including the findings of fact and conclusions of law contained therein. The court determines that Professor Vijay Devabhaktuni is entitled to civil immunity pursuant to R.C. 9.86 and 2743.02(F) and that the courts of common pleas do not have jurisdiction over any civil actions that may be filed against him based

upon the allegations in this case. The case shall be set for trial.

PATRICK M. MCGRATH
Judge

cc:

Charles W. Bair
Fan Zhang
7445 Airport Highway
Holland, Ohio 43528

Christopher P. Conomy
Stacy L. Hannan
Assistant Attorneys General
150 East Gay Street, 18th Floor
Columbus, Ohio 43215-3130

Elijah Baccus
405 Madison Avenue, Suite 1550
Toledo, Ohio 43604

Filed July 2, 2014
Sent To S.C. Reporter 11/5/15