

Court of Claims of Ohio

The Ohio Judicial Center
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ROSA ESTRADA, Admx.

Plaintiff

v.

UNIVERSITY OF TOLEDO MEDICAL CENTER

Defendant

Case No. 2012-07218

Judge Patrick M. McGrath
Magistrate Robert Van Schoyck

JUDGMENT ENTRY

{¶1} On September 12, 2014, the magistrate issued a decision recommending that the court grant defendant's August 4, 2014 motion for partial summary judgment and issue a determination that John P. Geisler, M.D., Kelly Manahan, M.D., and Megan Lutz Bosio, M.D. are entitled to civil immunity pursuant to R.C. 9.86 and 2743.02(F).

{¶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} 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 conclusions of law contained

therein. Defendant's motion for partial summary judgment is GRANTED and it is hereby determined that John P. Geisler, M.D., Kelly Manahan, M.D., and Megan Lutz Bosio, M.D. are 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 them based upon the allegations in this case. Accordingly, the court's June 5, 2013 order staying proceedings is hereby VACATED and the case shall be set for trial.

PATRICK M. MCGRATH
Judge

cc:

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