


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ANDREW FOLEY, *et al.*, :
Plaintiffs, :
v. : Case No. 3:15-cv-96
UNIVERSITY OF DAYTON, *et al.*, : JUDGE WALTER H. RICE
Defendants. :

DECISION AND ENTRY SUSTAINING DEFENDANT DYLAN PARFITT'S
UNOPPOSED SUPPLEMENTAL MOTION FOR JUDGMENT ON THE
PLEADINGS AND MOTION TO LIFT STAY (DOC. #49) AND
UNOPPOSED MOTION OF DEFENDANT, MICHAEL GROFF, FOR
JUDGMENT ON THE PLEADINGS (DOC. #50)

On November 3, 2016, the Supreme Court of Ohio held that no cause of action exists in Ohio for negligent misidentification. *Foley v. University of Dayton*, --N.E.3d--, 2016-Ohio-7591, 2016 WL 6519115. Given that this was the only claim asserted against Defendants Dylan Parfitt and Michael Groff, the Court SUSTAINS Defendant Dylan Parfitt's Supplemental Motion for Judgment on the Pleadings (Doc. #49), and Motion of Defendant Michael Groff, for Judgment on the Pleadings (Doc. #50). Both motions are unopposed.

Date: December 6, 2016



WALTER H. RICE
UNITED STATES DISTRICT JUDGE