

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

SUSAN PITTSLEY

Plaintiff

v.

Case No. 2010-09001-AD

Deputy Clerk Daniel R. Borchert
ENTRY OF DISMISSAL OHIO DEPT. OF TRANSPORTATION

{¶ 1} On August 6, 2010, defendant filed the investigation report stating that this claim was paid by the Office of Risk Management. On August 2, 2010, warrant no. 0014717204 in the amount of \$250.00 was sent to plaintiff as a full and final release of the claim against defendant. Plaintiff has not responded to defendant's investigation report. R.C. 2743.02(D) in pertinent part states: "Recoveries against the state shall be reduced by the aggregate of insurance proceeds, disability awards, or other collateral recovery received by the claimant." Upon review, the court finds that the money received by plaintiff is a recovery from a collateral source.

{¶ 2} On August 6, 2010, defendant filed a motion to add the Office of Risk Management as an additional defendant. However, since this court considers the Office of Risk Management as a collateral source in this situation, there is no need to add that office as a defendant. Accordingly, defendant's motion is DENIED.

{¶ 3} Plaintiff's case is DISMISSED. The filing fee shall be waived and the court shall absorb the court costs for this case.

DANIEL R. BORCHERT
Deputy Clerk

cc:

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DRB/laa
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