

**ORIGINAL**

**IN THE SUPREME COURT OF OHIO**

Paula Eastley, Adm. Of the  
Estate of Steven Hieneman

Case No. 11-0606

Plaintiff-Appellee,

On Appeal from the Scioto  
County Court of Appeals,  
Fourth Appellate District  
Case No. 09-CA-3308

v.

Paul Volkman, M.D.

and

Denise Huffman, d/b/a  
Tri-State Health Care

Defendants-Appellants.

**WAIVER OF ORAL ARGUMENT**

Plaintiff-Appellee, by and through undersigned Counsel, herby waive oral argument in  
the within action pursuant to Rule S.Ct. Prac. R.9.3.

Respectfully submitted,

By: *Thomas M. Spetnagel*  
Thomas M. Spetnagel, Counsel of Record

By: *Stanley C. Bender* / The  
Stanley C. Bender

**FILED**  
OCT 17 2011  
CLERK OF COURT  
SUPREME COURT OF OHIO

COUNSEL FOR APPELLEE, PAULA EASTLEY,  
ADMINISTRATOR OF THE ESTATE OF  
STEVEN HIENEMAN

10/17/2011 09:42 FAX 17407742147  
Spetnager & ...

Certificate of Service

I certify that a copy of the foregoing was sent by ordinary U.S. mail to those counsel listed below on this 14 day of Oct., 2011.

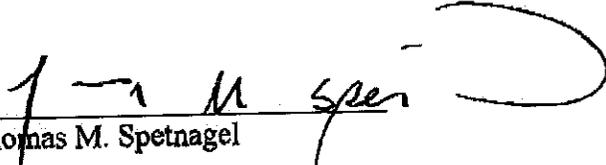
M. Jason Founds  
Mark H. Gams  
Gallagher, Gams, Pryor, Tallan & Littrell, L.L.P.  
471 East Broad St., 19<sup>th</sup> Floor  
Columbus, Ohio 43215-3872

James L. Mann  
Mann & Preston, L.L.P.  
18 East Second St.  
Chillicothe, Ohio 45601

Stanley C. Bender  
Bender Law Offices  
P.O. Box 950  
Portsmouth, Ohio 45662

Timothy J. Fitzgerald  
GALLAGHER SHARP  
Bulkey Building, Sixth Floor 16<sup>th</sup> Floor  
1501 Euclid Avenue  
Cleveland, Ohio 44115

John McLaughlin  
Rendigs, Fry, Kiely & Dennis L.L.P.  
One West Fourth Street, Suite 900  
Cincinnati, Ohio 45202-3688

  
Thomas M. Spetnager

COUNSEL FOR APPELLEE, PAULA EASTLEY,  
ADMINISTRATOR OF THE ESTATE OF  
STEVEN HIENEMAN