

Administrator of said estate. Plaintiff brings this wrongful death and survivor action as personal representative for the exclusive benefit of the surviving spouse, the parents, and the other next of kin of the Decedent.

2. On June 4, 1991, Plaintiff filed his original complaint against the Defendants named above in this Court under case No. 91-06503. Said complaint was voluntarily dismissed without prejudice on March 22, 1993.

3. Pursuant to Ohio Revised Code §2305.19, Plaintiff hereby commences this new action within the one year savings period.

4. At all times relevant herein, Decedent Beverly Jo Taylor was employed by the Ohio Department of Rehabilitation and Correction as a school teacher at the Southern Ohio Correctional Facility.

5. On or about June 7, 1990, Beverly Jo Taylor was working in the course of her employment for the Ohio Department of Rehabilitation and Correction on the premises of the Southern Ohio Correctional Facility. Beverly Jo Taylor worked in the Learning Center as a teacher at the Southern Ohio Correctional Facility.

6. Defendants, their agents, employees, officers and/or members deliberately and intentionally placed Beverly Jo Taylor in a dangerous location without properly instructing her in the recognition of and avoidance of unsafe conditions and regulations applicable to her work environment. Defendants also failed to control or eliminate the hazards of the Learning Center in which

Beverly Jo Taylor worked. Defendants failed to recognize, protect and warn Beverly Jo Taylor of the extremely dangerous, violent propensities of the inmates assigned to work in the Learning Center. The Defendants further committed an intentional tort by refusing to rescue Beverly Jo Taylor. Further, it was substantially certain that injury to Beverly Jo Taylor would occur due to the Defendants' acts and omissions.

7. On the above described date Beverly Jo Taylor was taken hostage, assaulted with a deadly weapon, nearly decapitated, and murdered. Beverly Jo Taylor suffered severe emotional distress, and pain and suffering from this incident.

8. At the time of her death, Decedent was 32 years of age and had a reasonable life expectancy.

9. Decedent is survived by her husband Kevin Taylor, her parents Phyllis and Joseph Shoemaker, and her brother Larry Shoemaker.

10. Decedent's beneficiaries have suffered the following damages as a result of Defendants' deliberate and intentional conduct: loss of support from the reasonably expected earning capacity of the Decedent, loss of services, loss of society, including loss of companionship, consortium, care, assistance, attention, protection, advice, guidance, counsel, instruction, training, education, loss of prospective inheritance to the Decedent's heirs-at-law at the time of her death, mental anguish, and funeral and burial expenses.


SECOND CLAIM FOR RELIEF

11. Now comes the Plaintiff, Kevin Taylor, and for his claim for relief incorporates in totality all the allegations of the First Claim for Relief as if fully rewritten herein.

12. Plaintiff brings this second claim as Administrator of the estate of Decedent for the conscious pain, suffering, injuries and damages sustained by Decedent prior to her death, for the benefit of the estate of the Decedent.

13. As a direct and proximate result of Defendants' deliberate and intentional conduct, Decedent sustained multiple incised neck wounds, was otherwise injured and suffered great pain of body and mind.

WHEREFORE, Plaintiff prays for judgment against the Defendants in an amount of damages to which he is entitled under Ohio Revised Code Section 4121.80 and/or under any other applicable law, including attorneys' fees and costs.


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