

**IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO**

AMANDA DRADT,	:	APPEAL NOS. C-230188
		C-230189
Plaintiff-Appellant,	:	TRIAL NO. A-2004253
vs.	:	<i>JUDGMENT ENTRY.</i>
CINCINNATI CHILDREN’S HOSPITAL MEDICAL CENTER,	:	
	:	
RICHARD AZIZKHAN, M.D.,	:	
	:	
ALVIN CRAWFORD, M.D.,	:	
and	:	
ERIC WALL, M.D.,	:	
Defendants-Appellees,	:	
and	:	
ABUBAKAR ATIQ DURRANI, M.D.,	:	
Defendants.	:	

The court sua sponte removes this case from the regular calendar and places it on the accelerated calendar, 1st Dist. Loc.R. 11.1(C)(1), and this judgment entry is not an opinion of the court. See Rep.Op.R. 3.1; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.

Plaintiff-appellant Amanda Dradt appeals the judgment of the trial court granting defendant-appellees Richard Azizkhan, M.D., Alvin Crawford, M.D., and Eric Wall, M.D.'s, (collectively "the Doctors") motion to dismiss her complaint under Civ.R. 12(B)(6).¹ Dradt also appeals the trial court's judgment granting defendant-appellee Cincinnati Children's Hospital Medical Center's ("CCHMC") motion to dismiss.

Dradt was born on December 11, 1995. She was referred to CCHMC, where she was diagnosed with mild scoliosis. Defendant Abubakar Atiq Durrani, M.D., recommended surgery on her spine, which Dradt alleged was unnecessary when other more conservative treatments were available. Dradt further alleged Durrani negligently performed three different surgeries on her back, which resulted in persistent, debilitating pain.

Dradt turned 18 years old on December 11, 2013. Durrani fled the country in November 2013. On December 4, 2020, Dradt filed suit against Durrani, the Doctors, and CCHMC alleging various tort claims and statutory violations under Ohio law. The Doctors and CCHMC moved separately for dismissal of Dradt's claims against them, which the trial court granted. Dradt now appeals.

In three assignments of error, Dradt argues that the statute of repose is tolled against CCHMC, that her negligent-credentialing and civil-fraud claims were not medical claims subject to the statute of repose, and that the Doctors owed a fiduciary duty to her.

On the authority of *Dumais v. Durrani*, 1st Dist. Hamilton No. C-230190 and C-230191, 2024-Ohio-1022, we overrule Dradt's assignments of error and affirm the judgments of the trial court.

¹ Azizkhan was the Chief of Surgery at CCHMC and a member of the Medical Executive Committee, Crawford was the Orthopedic Director at CCHMC prior to 2005 and a surgeon there through 2008, and Wall was the Orthopedic Director at CCHMC.

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A certified copy of this judgment entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

ZAYAS, P.J., CROUSE and KINSLEY, JJ.

To the clerk:

Enter upon the journal of the court on March 27, 2024,
per order of the court _____.
Presiding Judge