

also appeals the trial court's judgment granting defendant-appellee Cincinnati Children's Hospital Medical Center's ("CCHMC") motion to dismiss.

Shaw was born on February 29, 1992. In June 2005, Shaw suffered a broken arm. As a result, he went to CCHMC for medical treatment. Defendant Abubakar Atiq Durrani, M.D., examined his arm and informed him and his family that he would need surgery. Durrani performed surgery on him in 2005. Shaw alleges that the surgery was unnecessary, dangerous, and unindicated and resulted in significant pain, disfigurement, mental anguish, and other damages.

Shaw turned 18 years old in 2010. Durrani fled the country in November 2013. On December 20, 2020, Shaw 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 Shaw's claims against them, which the trial court granted. Shaw now appeals.

In three assignments of error, Shaw argues that the statute of repose is tolled against CCHMC, that his 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 him.

On the authority of *Dumais v. Cincinnati Children's Hosp. Med. Ctr.*, 1st Dist. Hamilton Nos. C-230190 and C-230191, 2024-Ohio-1022, we overrule Shaw's assignments of error and affirm the judgments of the trial court.

The court further orders that 1) a copy of this Judgment with a copy of the Opinion attached constitutes the mandate, and 2) the mandate be sent to the trial court for execution under App. R. 27.

BOCK, P.J., BERGERON, and KINSLEY, JJ.

To the clerk:

Enter upon the Journal of the Court on 5/24/2024 per Order of the Court.

By: _____
Administrative Judge