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OSU trustees chairman resigns

University source cites 'major rift' with Drake

By Jennifer Smola
The Columbus Dispatch

A "major rift" had developed between the chairman of the Ohio State

University board of trustees, who resigned Friday, and President Michael V. Drake, said a university source with knowledge of the relationship.

Chairman Michael J. Gasser submitted his resignation in an email sent

to Drake and the rest of the board Friday morning, effective immediately.

"The chairman has been upset with the president's performance and actions," the source told The Dispatch on condition of anonymity, but would not

discuss specifics of Gasser's concerns.

Gasser made no reference to Drake in his resignation letter, in which he stated he could no longer commit the time needed as a trustee, and

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High court halts Ohio redrawing House map

By Randy Ludlow
The Columbus Dispatch

The U.S. Supreme Court ruled Friday that the Ohio General Assembly does not have to quickly produce a new congressional map after a lower court declared the existing one unconstitutionally gerrymandered.

With high-court rulings on two other gerrymandering cases expected within a month, the justices granted the stay requested by the state, which faced a U.S. District Court order to produce a revamped map of U.S. House districts by June 14.

The stay blocking the lower court's order will remain in effect until the

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Back to the alley



Pearl Market vendors and shoppers are back in Pearl Alley this year after last year's move to the Statehouse lawn. This was the scene Friday, the season's opening day. [JOSHUA A. BICKEL/DISPATCH]

Pearl Market begins season on part of Pearl Alley, block of Gay Street

By Michael Lee
The Columbus Dispatch

Pearl Market is back home. The market opened for its 20th season Friday with vendors selling goods ranging from popcorn to jewelry to fresh vegetables. But instead

of being at the Statehouse, where it had moved to last year due to construction, the twice-weekly market set up shop on Gay Street between North High and North 3rd streets and along Pearl Alley south of Gay Street.

Sam Sharkey, Pearl Market manager for Capital Crossroads, said Pearl Market was historically on all of Pearl Alley, but with the construction taking place on the

southern half of the alley, the market expanded to the sidewalks of Gay Street instead.

"We find that it's a really good collaboration, actually, because now, not only do we get to support our vendors, but we also get to support our business partners on Gay Street and access the foot traffic that's already happening there and hopefully reach more people," she said.

The history of the market is

also what prompted the move from the Statehouse lawn back to its "home."

"The Statehouse last year was definitely a fun experiment, but it was time to come home to Pearl Alley," Sharkey said. "People know to look for us here, the vendors know that we're here, and also it's a little bit shadier in Pearl Alley, which definitely helps both the

See PEARL, B3

Tokes family asks justices to allow suit

By Randy Ludlow
The Columbus Dispatch

The family of slain Ohio State University student Reagan Tokes is asking the Ohio Supreme Court to allow them to sue state prison officials for failing to properly monitor the man who raped and killed her amid a crime spree.

The Ohio Court of Claims and the 10th District Court of Appeals in Columbus had dismissed the family's wrongful-death lawsuit, ruling that the state is shielded from the damages

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Attorney for Husel criticizes plaintiffs' lawyers

By JoAnne Viviano
The Columbus Dispatch

The attorney for a former Mount Carmel Health System physician accused in more than 20 wrongful-death lawsuits is accusing certain malpractice attorneys of attempting to disparage the doctor through statements made to the news media.

In filings in Franklin County Common Pleas Court on Thursday, Columbus attorney Gregory Foliano says "inflammatory rhetoric" is being used by the

attorneys, and their actions are making it more difficult for Dr. William Husel to receive a fair trial in criminal or civil court.

Husel, 43, of Liberty Township near Dublin, has not been criminally charged. The Franklin County prosecutor's office is reviewing accusations by his former employer that he ordered excessive doses of painkillers for 35 intensive care patients at two hospitals over a period of about four years.

Foliano's filings relate specifically to attorneys in the Leeseberg & Valentine

firm who have argued in court against a stay, or delay, requested by both Husel and Mount Carmel, which is also named in the lawsuits.

The attorneys with Leeseberg & Valentine said in a media statement that "the patients' families and the public deserve to know exactly what happened and why."

Foliano says in the filings that the malpractice attorneys, who have commented to news outlets on several occasions, want to try the cases "in the media instead of the Courtroom."

"This undignified and

unprofessional conduct will continue to taint the jury pool, taint the ongoing investigations, and cause substantial and irreparable prejudice to the rights of multiple persons," Foliano writes.

Foliano has argued that moving forward with the civil cases — including collecting statements from Husel and others — would force Husel to assert his Fifth Amendment constitutional right against self-incrimination because of an ongoing criminal investigation. Invoking the Fifth could

be viewed negatively by a jury, he says.

Attorneys for the health system have supported the request for a delay. They argue that Mount Carmel is unable to investigate claims against it due to Husel's assertion of his Fifth Amendment right and because they have a limited ability to speak with nurses and pharmacists implicated in painkiller dosings due to a licensing board's investigations into the nurses.

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Nick Penzone, owner of Florentine Legacy, which carries on the tradition of the closed Florentine Restaurant, packs up a bottle of pasta sauce for a customer Friday at Pearl Market.

[JOSHUA A. BICKEL/DISPATCH PHOTOS]

PEARL

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vendors and customers out."

The return to the alley has made participating easier for people such as Patricia Rosano of Reynoldsburg, who works Downtown and had been a regular buyer of fresh fruits and vegetables at the market.

"I work on High Street, but Pearl Alley is at the back of my building, so I can go out the back door and come straight up," she said.

Midway Concessions owner Mark Mitchell said this year's location is better than the Statehouse.

"I think it's going to be great; there's a lot of foot traffic already," Mitchell said. "I think our sales are going to be up here, just because of all the restaurants. People can eat lunch and still shop at the market."

Jesse Miller, owner of Magic Mustard Co. in



David Casto of Fornof Farm Market in Canal Winchester sets out fresh asparagus for sale.

Columbus, said Pearl Market gives support to local businesses, especially those that lack the money to buy a bricks-and-mortar store.

Sharkey said Pearl Market not only brings artisans and local businesses into the heart of Downtown, but it also brings the community together, mixing many populations.

"You got CEOs that shop at the Pearl Market, and you also have people coming off of the COTA bus lines that

are a block away," Sharkey said. "To be able to have that communal space is really important for a city, I think, and it indicates the kind of health in Columbus, as well as giving that urban population that access of local food."

Pearl Market will be open Tuesdays and Fridays from 10:30 a.m. to 2 p.m. and will run until Oct. 11.

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Holiday boaters wise to keep safety in mind

By Bethany Bruner
The Columbus Dispatch

The Ohio Department of Natural Resources is reminding those who will spend time on the state's lakes and rivers this summer to practice safe boating to prevent tragedy.

Lt. Dawn Roberts, supervisor of ODNR's Watercraft Field Office at Alum Creek State Park in Delaware, said a larger number of motorized boats, plus paddle boats such as kayaks and canoes, are expected on the waterways this Memorial Day weekend as people unofficially kick off summer.

Roberts said enforcement boats will be on the water from Friday through Monday afternoon, as they are every weekend.

Preparation is key to making sure that everyone on the water enjoys the weekend, she said.

"Sometimes life just gets ahead of you, and then you're rushing around," Roberts said. "We want everyone to make sure all the life jackets are on board and fit everyone who is out on the boat."

Jason Kaufman is the owner of Trapper John's Canoe Livery, which is beside Big Darby Creek at 7141 London-Groveport Road in Pleasant Township near Grove City. He expects a sharp increase in boaters on Memorial Day weekend. "One of our ultimate goals is just to make sure everyone is safe," Kaufman said.

Spring weather, including more rain, can cause rough river conditions, Kaufman said. Last weekend, rescues were required because of river conditions and people being unaware of their location. People need to be aware of water conditions and know their surroundings, he said.

Roberts said it is also important for owners of boats to take care of maintenance, ensure the boat is functioning properly, and check that all the proper safety equipment — from life jackets to distress flags — is on board and accessible.

Those going kayaking or canoeing should make themselves as visible as possible by using bright-colored clothing, boats and even paddles, she said.

"Keep a proper lookout and be mindful of other boats, too," she said.

All those on the water should have access to a first-aid kit in the event of an injury.

"It's not difficult to figure out Band-Aids and gauze pads," Roberts said.

If there is an emergency, boaters should call 911, flag down an ODNR boat, or use their distress flag to signal to other boats, she said.

"If you have it, use it," Roberts said.

For non-emergency situations, boaters can also dial #ODNR on cellphones to be connected to a dispatcher and have a boat sent to their location.

Roberts said common-sense actions such as being courteous and patient and not consuming alcohol while on the water can make a huge difference in keeping everyone safe.

But the easiest way to save lives, she said, is to wear a Coast Guard-approved life jacket.

"I know they can be uncomfortable," Roberts said. "But they will save lives every time. When you have one on, it will save your life."

For additional boat safety tips, visit www.ohiodnr.gov.

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