

**DALTON ET AL., CROSS-APPELLANTS, v. TRAVELERS INSURANCE COMPANY ET
AL., CROSS-APPELLEES.**

[Cite as *Dalton v. Travelers Ins. Co.*, 102 Ohio St.3d 450, 2004-Ohio-3927.]

Motions to clarify granted — Motion for reconsideration denied.

(No. 2003-0270 — Submitted June 8, 2004 — Decided August 11, 2004.)

CROSS-APPEAL from the Court of Appeals for Stark County, No. 2001CA00380,
2002-Ohio-7369.

ON MOTIONS FOR CLARIFICATION AND MOTION FOR RECONSIDERATION.

{¶1} IT IS ORDERED by the court that the motions to clarify be, and hereby are, granted.

{¶2} IT IS FURTHER ORDERED by the court that the second paragraph of our April 20, 2004 order is vacated.

{¶3} IT IS FURTHER ORDERED by the court that cross-appellants' motion for reconsideration filed November 17, 2003, is denied.

MOYER, C.J., LUNDBERG STRATTON, O'CONNOR and O'DONNELL, JJ., concur.

RESNICK, F.E. SWEENEY and PFEIFER, JJ., dissent.

Allen Schulman & Associates Co., L.P.A., and Allen Schulman Jr.; John S. Coury, for cross-appellants.

Tucker, Ellis & West, L.L.P., Irene C. Keyse-Walker, Mark F. McCarthy and Kristen L. Mayer, for cross-appellee Travelers Indemnity Co. of Illinois.

Gallagher, Sharp, Fulton & Norman, Timothy J. Fitzgerald and D. John Travis, for cross-appellee Federal Insurance Co.

SUPREME COURT OF OHIO

Janik & Dorman, L.L.P., Steven G. Janik and Matthew J. Grimm, for
cross-appellee National Union Fire Insurance Co. of Pittsburgh, PA.

Law Offices of Robert B. Daane, L.L.C., and Robert B. Daane, for cross-
appellee Grange Mutual Casualty Insurance Co.
