

ATTENTION

DIRECT ANY QUESTIONS ABOUT THE ANNOUNCEMENT TO WALTER S. KOBALKA,
REPORTER OF DECISIONS, OR JUSTINE MICHAEL, ADMINISTRATIVE ASSISTANT, AT
(614) 466-4961 OR 1-800-826-9010.

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

1:00 P.M.

WEDNESDAY
September 9, 1992

MERIT DOCKET

91-1169. Fantozzi v. Sandusky Cement Prod. Co.
Erie County. Appeal and Cross-Appeal from the Court of Appeals for Erie
County, No. E-89-36. Judgment reversed and cause remanded.

Moyer, C.J., Sweeney, Holmes, Douglas, Wright, H. Brown and Resnick,
JJ., concur.

91-1344. Shifrin v. Forest City Ent., Inc.
Cuyahoga County. Appeal from the Court of Appeals for Cuyahoga County,
No. 58068. Judgment affirmed.

Sweeney, Acting C.J., Bryant, Douglas, Wright, H. Brown and Resnick,
JJ., concur.

Holmes, J., dissents.

Peggy Bryant, J., of the Tenth Appellate District, sitting for Moyer,
C.J.

91-1417. State v. Brown.
Stark County. Appeal from the Court of Appeals for Stark County, No.
CA-8338. Judgment affirmed.

Moyer, C.J., Sweeney, Douglas, Wright and H. Brown, JJ., concur.

Resnick, J., concurs in judgment only.

Holmes, J., dissents.

91-1500. Simmers v. Bentley Constr. Co.
Richland County. Appeal from the Court of Appeals for Richland County,
No. CA-2783. Judgment affirmed.

Sweeney, Douglas, H. Brown and Resnick, JJ., concur.
Moyer, C.J., Holmes and Wright, JJ., concur in part and dissent in part.

91-1507. Ohio Chamber of Commerce v. State Emergency Response Comm. Franklin County. Appeal from the Court of Appeals for Franklin County, Nos. 91AP-173 and 91AP-174. Judgment reversed.

Sweeney, Acting C.J., Holmes, Douglas, H. Brown and Resnick, JJ., concur.

Nader and Wright, JJ., dissent.

Robert A. Nader, J., of the Eleventh Appellate District, sitting for Moyer, C.J.

91-2327. Rickenbacker Port Auth. v. Limbach.

Appeal from the Board of Tax Appeals, No. 87-G-1356. Decision affirmed.

Moyer, C.J., Sweeney, Douglas, H. Brown and Resnick, JJ., concur.

Holmes and Wright, JJ., dissent.

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

WEDNESDAY
September 9, 1992

MOTION DOCKET

92-1452. Lake Cty. Bd. of Commrs. v. Weaver.

Lake County, No. 89-L-14-076. This cause is pending before the court as an appeal and cross-appeal from the Court of Appeals for Lake County. Upon consideration of appellant/cross-appellee's motion to stay enforcement of the judgment rendered by the Eleventh District Court of Appeals on June 9, 1992, ordering the appellant/cross-appellee to appropriate \$133,845.96 to appellees/cross-appellants for the operation of the juvenile court,

IT IS ORDERED by the court, effective September 8, 1992, that said motion for stay be, and the same is hereby, granted, pending final disposition by this court.

H. Brown, J., would require a cash bond of \$185,000 and would deny the stay without the posting of the bond.

Resnick, J., would set a supersedeas at \$300,000.

92-1625. Mid Fed Savings Bank v. Martin.
Butler County, No. CA91-12-202. This cause is pending before the court on the filing of a motion for an order directing the Court of Appeals for Butler County to certify its record. Upon consideration of appellants' motion for stay and for supersedeas bond,

IT IS ORDERED by the court that said motion for stay and for supersedeas bond be, and the same is hereby, denied.

Sweeney, J., dissents and would set bond at \$1,500.

92-1809. State ex rel. White v. Franklin Cty. Bd. of Elections.
In Prohibition or Mandamus. This cause originated in this court on the filing of a complaint for a writ of prohibition and/or writ of mandamus regarding an expedited election matter.

IT IS ORDERED by the court, sua sponte, that the following schedule shall apply in this case. Respondents shall answer within three days after service of summons. Relators' brief, and any evidence relators intend to present, shall be due within three days after filing of the answer. Respondents' brief(s), and any evidence respondents intend to present, shall be due within three days after the filing of relators' brief.

MISCELLANEOUS DISMISSALS

92-1781. State ex rel. Potts v. Jenkins.
In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of relator's application to dismiss,

IT IS ORDERED by the court that said application be, and the same is hereby, granted, effective September 4, 1992.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.