

OPINIONS OF THE SUPREME COURT OF OHIO

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Bobich et al., Appellants, v. Convenient Food Mart 3-109, Appellee.

[Cite as Bobich v. Convenient Food Mart 3-109 (1993), Ohio St.3d .]

Pleadings -- R.C. 2309.01 is in conflict with Civ.R. 8(A) and is invalid and of no force and effect -- Ohio Rules of Civil Procedure control over subsequently enacted inconsistent statutes purporting to govern procedural matters.

(No. 92-2227 -- Submitted April 20, 1993 -- Decided April 28, 1993.)

Certified by the Court of Appeals for Cuyahoga County, No. 62923.

Kelley, Klima & Sullivan and Thomas G. Kelley, for appellants.

Dyson, Schmidlin & Foulds Co., L.P.A., and James J. Dyson, for appellee.

The cause is reversed on authority of Rockey v. 84 Lumber Co. (1993), 66 Ohio St.3d , N.E.2d , and the trial court's judgment awarding damages in the total amount of \$54,675 is reinstated.

Moyer, C.J., A.W. Sweeney, Douglas, Wright, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.