

OPINIONS OF THE SUPREME COURT OF OHIO

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Cook et al., Appellants, v. Naveau et al., Appellees.

[Cite as Cook v. Naveau (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.

(Nos. 92-2343 and 92-2589 -- Submitted April 20, 1993 -- Decided April 28, 1993.)

Appeals from the Court of Appeals for Allen County, No. 1-92-1.

Denmead & Maloney and Craig Denmead, for appellants.

Jacobson, Maynard, Tuschman & Kalur, Robert C. Maynard, Steven J. Hupp, Gregory C. Gibson and Karen L. Clouse, for appellee John J. Naveau, M.D.

Porter, Wright, Morris & Arthur and Maryellen Spirito, for appellee Truman F. Soudah, M.D.

Crabbe, Brown, Jones, Potts & Schmidt, Steven A. Davis and Vincent J. Lodico, for appellee G.E. Martinez, M.D.

Lane, Alton & Horst and Thomas A. Dillon, for appellee Mercer County Joint Township Community Hospital.

The judgment of the court of appeals is reversed on authority of *Rockey v. 84 Lumber Co.* (1993), Ohio St.3d , N.E.2d , and the cause is remanded to the trial court for a new trial.

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