

OPINIONS OF THE SUPREME COURT OF OHIO

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Sterling et al., Appellees, v. Nationwide Insurance Company, Appellant.

[Cite as Sterling v. Nationwide Ins. Co. (1994), Ohio St.3d .]

Automobile liability insurance -- Uninsured motorist coverage designed to protect persons, not vehicles -- Policy provision which eliminates uninsured motorist coverage for persons insured thereunder who are injured while occupying a motor vehicle owned by an insured, but not specifically listed in the policy, violates R.C. 3937.18 and is invalid. (No. 93-2010 -- Submitted August 31, 1994 -- Decided October 5, 1994.)

Certified by the Court of Appeals for Stark County, No. CA-9214.

Todd O. Rosenberg and Arthur M. Elk, for appellees.
Paul R. Garlock, for appellant.

The judgment of the court of appeals is affirmed on the authority of Martin v. Midwestern Group Ins. Co. (1994), Ohio St.3d , N.E.2d , decided today.

A.W. Sweeney, Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Moyer, C.J., concurs separately.

Wright, J., dissents for the reasons stated in the dissenting opinions in Martin v. Midwestern Group Ins. Co. (1994), Ohio St.3d , N.E.2d .

Moyer, C.J., concurring separately. I concur separately in the judgment entry in the above-styled case. As my dissent in Martin v. Midwestern Group Ins. Co. (1994), Ohio St.3d , N.E.2d , stated, I do not agree with the law announced in the majority decision. Nevertheless, it is the law on the issue in the above-styled case. As I believe all parties should receive equal application of the law announced by this court, and only for that reason, I concur in the judgment entry.