

**JOHNSTON, ADMR., APPELLANT, v. UNIVERSITY MEDNET ET AL., APPELLEES.**

**[Cite as *Johnston v. Univ. Mednet*, 1995-Ohio-1.]**

*Medical malpractice—Liability insurance—Evidence—Commonality of insurance interests between defendant and expert witness outweighs any potential prejudice evidence of insurance might cause—Evid.R. 411, applied.*

(No. 94-2066—Submitted January 10, 1995—Decided March 15, 1995.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 65623.

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*Michael F. Becker Co., L.P.A., Michael F. Becker and Jeanne M. Tosti*, for appellant.

*Jacobson, Maynard, Tuschman & Kalur, John V. Jackson II, Joseph A. Farchione and Douglas G. Leak*, for appellees.

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{¶ 1} The discretionary appeal is allowed. The judgment of the court of appeals is reversed, and the cause is remanded to the trial court on the authority of *Ede v. Atrium S. OB-GYN, Inc.* (1994), 71 Ohio St.3d 124, 642 N.E.2d 365.

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY and PFEIFER, JJ., concur.

WRIGHT, J., dissents for the reasons stated in his dissenting opinion in *Ede v. Atrium S. OB-GYN, Inc.* (1994), 71 Ohio St.3d 124, 128-131, 642 N.E.2d 365, 369-370.

COOK, J., dissents.

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