

DILLON ET AL., APPELLANTS, v. MEDICAL CENTER HOSPITAL, APPELLEE.

[Cite as *Dillon v. Med. Ctr. Hosp.*, 1995-Ohio-112.]

Appeal dismissed as improvidently allowed.

(No. 93-2307—Submitted February 7, 1995—Decided April 12, 1995.)

Appeal from the Court of Appeals for Ross County, No. 93 CA 1942.

Spetnagel & Benson, Thomas M. Spetnagel and Paige J. McMahon, for appellants.

Bricker & Eckler, Michael J. Renner and Jack Rosati, Jr., for appellee.

Squire, Sanders & Dempsey, William M. Todd and Terri-Lynne B. Smiles, urging affirmance for *amicus curiae*, Ohio Hospital Association.

{¶ 1} The appeal is dismissed, *sua sponte*, as having been improvidently allowed.

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

WRIGHT, PFEIFER and COOK, JJ., dissent.

WRIGHT, J., dissenting.

{¶ 2} I would affirm the court of appeals on the ground that the nurses' negligence was not an actual cause of the plaintiff's injury.

COOK, J., concurs in the foregoing dissenting opinion.

PFEIFER, J., dissenting.

{¶ 3} I would reverse the Court of Appeals for Ross County because there is sufficient evidence of negligence and causation to survive a motion for summary judgment. Accordingly, I dissent.
