

**CURTIS, APPELLEE, v. SQUARE-D COMPANY; OWENS MONTPELIER ELECTRIC,
INC., APPELLANT.**

[Cite as *Curtis v. Square-D Co.*, 1995-Ohio-23.]

Civil actions—Products liability claims for bodily injury governed by two-year statute of limitations period in R.C. 2305.10 and not by six-year statute of limitations period in R.C. 2305.07.

(No. 95-185—Submitted July 12, 1995—Decided August 16, 1995.)

APPEAL from the Court of Appeals for Williams County, No. 94WM000003.

Manahan, Pietrykowski, Bamman & DeLaney and *George C. Ward*, for appellant.

{¶ 1} The judgment of the court of appeals is reversed and the judgment of the trial court is reinstated on the authority of *McAuliffe v. W. States Import Co., Inc.* (1995), 72 Ohio St.3d 534, 651 N.E.2d 957.

MOYER, C.J., WRIGHT, PFEIFER and COOK, JJ., concur.

DOUGLAS, RESNICK and F.E. SWEENEY, JJ., dissent.

DOUGLAS, J., dissenting.

{¶ 2} I respectfully dissent. I do so on the basis of Justice Francis E. Sweeney's well-reasoned dissent in *McAuliffe v. W. States Import Co., Inc.* (1995), 72 Ohio St.3d 534, 651 N.E.2d 957. Given the majority opinion in *McAuliffe*, it should now be understood that all common-law products liability causes of action survive the enactment of R.C. 2307.71 *et seq.*, the Ohio Product Liability Act, unless specifically covered by the Act because the Act, according to the majority in *McAuliffe*, "* * *" falls short of creating a previously unavailable cause of action

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* * *." *Id.* at ___, 651 N.E.2d at ___. The courts of appeals were right in both this case and *McAuliffe*.

RESNICK and F.E. SWEENEY, JJ., concur in the foregoing dissenting opinion.
