

**NEW HAMPSHIRE INSURANCE GROUP, APPELLEE, v. FROST ET AL., APPELLEES;
STUMP, APPELLANT.**

[Cite as *New Hampshire Ins. Group v. Frost*, 1996-Ohio-328.]

Appeal dismissed as improvidently allowed.

(No. 95-1653—Submitted October 9, 1996—Decided December 11, 1996.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 67823.

Quandt, Giffels & Buck Co., L.P.A., Walter R. Matchinga and Edward J. Stoll, Jr., for appellee New Hampshire Insurance Group.

McIntyre, Kahn & Kruse Co., L.P.A., Patrick J. Gallagher and Mark F. Kruse, for appellant.

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

MOYER, C.J., DOUGLAS, F.E. SWEENEY, PFEIFER and STRATTON, JJ., concur.
RESNICK and COOK, JJ., separately dissent.

ALICE ROBIE RESNICK, J., dissenting.

{¶ 2} I would reverse the judgment of the court of appeals.

COOK, J., dissenting. I would affirm the judgment of the court of appeals.
