

**SNYDER ET AL., APPELLEES, v. NATIONWIDE MUTUAL INSURANCE COMPANY,  
APPELLANT.**

**[Cite as *Snyder v. Nationwide Mut. Ins. Co.*, 1996-Ohio-401.]**

*Insurance—Motor vehicles—Pursuant to former R.C. 3937.18, an underinsurance claim must be paid, when—Determining amount of underinsurance coverage to be paid.*

(No. 96-73—Submitted July 10, 1996—Decided August 7, 1996.)

APPEAL from the Court of Appeals for Stark County, No. 1995CA00146.

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*Allen Schulman & Associates Co., L.P.A.*, and *Timothy B. Saylor*, for appellees.

*Robert J. Drexler*, for appellant.

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{¶ 1} As to Proposition of Law No. 1, the judgment of the court of appeals is affirmed on the authority of *Cole v. Holland* (1996), 76 Ohio St.3d 220, 667 N.E.2d 353.

{¶ 2} As to Proposition of Law No. 2, the appeal is dismissed, *sua sponte*, as having been improvidently allowed.

DOUGLAS, RESNICK, F.E. SWEENEY and PFEIFER, JJ., concur.

MOYER, C.J., and COOK, J., dissent on Proposition of Law No. I and concur on Proposition of Law No. 2.

STRATTON, J., not participating.

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