

**NOTTINGHAM ET AL., APPELLEES, v. ALLSTATE INSURANCE COMPANY;
NATIONWIDE MUTUAL INSURANCE COMPANY, APPELLANT.**

[Cite as *Nottingham v. Allstate Ins. Co.*, 1996-Ohio-402.]

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. 96-101—Submitted July 10, 1996—Decided August 7, 1996.)

APPEAL from the Court of Appeals for Stark County, No. 1995CA00068.

Tzangas, Plakas & Mannos, James R. Recupero and David L. Dingwell, for appellees.

Robert J. Drexler, for appellant.

{¶ 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.

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

MOYER, C.J., and COOK, J., dissent.

STRATTON, J., not participating.
