

**GUM, APPELLANT, v. CLEVELAND ELECTRIC ILLUMINATING COMPANY,
APPELLEE.**

[Cite as *Gum v. Cleveland Elec. Illum. Co.*, 1998-Ohio-348.]

*Appeal dismissed as improvidently allowed—Court of appeals’ opinion ordered not
to be published in the Ohio Official Reports.*

(No. 97-654—Submitted February 18, 1998—Decided April 1, 1998.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 70833.

Lancione & Simon P.L.L., John G. Lancione and John A. Lancione, for
appellant.

*Calfee, Halter & Griswold L.L.P. and Mark I. Wallach; Gregory A. Cada
and George R. Hicks, Jr.*, for appellee.

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

{¶ 2} The court orders that the court of appeals’ opinion not be published in
the Ohio Official Reports, and that it may not be cited as authority except by the
parties *inter se*.

MOYER, C.J., RESNICK, F.E. SWEENEY, T. BRYANT and LUNDBERG
STRATTON, JJ., concur.

DOUGLAS and PFEIFER, JJ., dissent.

THOMAS F. BRYANT, J., of the Third Appellate District, sitting for COOK, J.
