

**HILLYER ET AL., APPELLANTS, v. GREAT AMERICAN INSURANCE COMPANY,
APPELLEE.**

[Cite as *Hillyer v. Great Am. Ins. Co.*, 1998-Ohio-478.]

*Motor vehicles—Insurance—Applicability of Ross v. Farmers Ins. Group of Cos.
to claim for damages against tortfeasor’s automobile liability insurance
policy to be briefed.*

(No. 97-2200—Submitted June 24, 1998—Decided July 22, 1998.)

APPEAL from the Court of Appeals for Lake County, No. 96-L-148.

Friedman, Domiano & Smith Co., L.P.A., and *Jeffrey H. Friedman*, for
appellants.

Ulmer & Berne LLP, Murray K. Lenson and *Jeffrey R. Sadlowski*, for
appellee.

{¶ 1} The parties are ordered to consider and brief the issue whether the
underlying premise of *Ross v. Farmers Ins. Group of Cos.* (1998), 82 Ohio St.3d
281, ___ N.E.2d ___, that the statutory law in effect at the time of entering into a
contract of automobile liability insurance controls the rights and duties of the
contracting parties, is applicable to a claim for damages against the tortfeasor’s
automobile liability insurance policy.

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