

**BAKOS, APPELLEE, v. INSURA PROPERTY & CASUALTY INSURANCE COMPANY
ET AL., APPELLANTS.**

[Cite as *Bakos v. Insura Prop. & Cas. Ins. Co.*, 1998-Ohio-537.]

*Certification of conflict dismissed for want of conflict within meaning of
S.Ct.Prac.R. IV(2)(B).*

(No. 97-2431—Submitted October 28, 1998—Decided December 30, 1998.)

CERTIFIED by the Court of Appeals for Cuyahoga County, No. 71949.

Peterson & Zelasko and Bradford D. Zelasko, for appellee.

McNeal, Schick, Archibald & Biro Co., L.P.A., and *Paul W. Ziegler*, for
appellant Insura Property & Casualty Insurance Company.

Weston Hurd Fallon Paisley & Howley L.L.P., *John G. Farnan*, *Hilary S.
Taylor* and *William H. Baughman, Jr.*, for appellant St. Paul Fire & Marine
Insurance Company.

{¶ 1} The cause is dismissed for want of conflict within the meaning of
S.Ct.Prac.R. IV(2)(B).

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER AND LUNDBERG
STRATTON, JJ., CONCUR.

COOK, J., dissents.

COOK, J., dissenting.

{¶ 2} I respectfully dissent from the decision to dismiss this case as
improvidently certified and, if addressing this case on the merits, would affirm the
decision of the court of appeals.
