

**COLE, ADMR., ET AL., APPELLANTS, v. PINE RIDGE APARTMENTS COMPANY II
ET AL., APPELLEES.**

[Cite as *Cole v. Pine Ridge Apts. Co. II*, 1999-Ohio-36.]

*Discretionary appeal allowed—Court of appeals’ judgment reversed on authority of
Denham v. New Carlisle.*

(Nos. 99-1244 and 99-1597—Submitted September 21, 1999—Decided November
24, 1999.)

APPEAL from and CERTIFIED by the Court of Appeals for Lake County, No.
99-L-028.

*McDonald, Hopkins, Burke & Haber Co., L.P.A., and Jerome W. Cook, for
appellants.*

{¶ 1} The discretionary appeal is allowed, and the certified conflict is
accepted.

{¶ 2} The judgment of the court of appeals is reversed, and the cause is
remanded to the trial court for further proceedings on the authority of *Denham v.
New Carlisle* (1999), 86 Ohio St.3d 594, 716 N.E.2d 184.

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