

**STACY ET AL., APPELLANTS, v. NATIONWIDE MUTUAL INSURANCE COMPANY,
APPELLEE.**

[Cite as *Stacy v. Nationwide Mut. Ins. Co.*, 1999-Ohio-451.]

Appeal dismissed as improvidently allowed.

(No. 98-668—Submitted February 9, 1999—Decided March 31, 1999.)

APPEAL from the Court of Appeals for Erie County, No. E-96-053.

Murray & Murray Co., L.P.A., James T. Murray and Joseph A. Zannieri,
for appellants.

Flynn, Py & Kruse, L.P.A., and John D. Py, for appellee.

Clark, Perdue, Roberts & Scott and Edward L. Clark, Jr., urging reversal
for *amicus curiae*, Ohio Academy of Trial Lawyers.

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

MOYER, C.J., GRADY, COOK and LUNDBERG STRATTON, JJ., concur.

F.E. SWEENEY and PFEIFER, JJ., dissent and would reverse the judgment of
the court of appeals.

DOUGLAS, J., dissents.

THOMAS J. GRADY, J., of the Second Appellate District, sitting for RESNICK,
J.
