

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

FRIDAY
July 14, 2000

**DISMISSALS, SUA SPONTE, NO SUBSTANTIAL
CONSTITUTIONAL QUESTION AND DISCRETIONARY
APPEALS, IF APPLICABLE, NOT ALLOWED**

99-2151. Alder v. Eli Lilly & Co.

Summit App. No. 19400. On motion for admission *pro hac vice* by Douglas M. Mansfield for James M. Beck for Product Liability Advisory Council, Inc.; motion for admission *pro hac vice* by Terry K. Sherman for Professor Steven Lubet for Washington Legal Foundation; motion for admission *pro hac vice* by Hugh E. McKay for John C. Maloney, Jr., for Smithkline Beecham Corporation.

Sua sponte, the order allowing the discretionary appeal in this cause, 88 Ohio St.3d 1437, 724 N.E.2d 812, is reconsidered and vacated; the discretionary appeal is denied.

Douglas, F.E. Sweeney and Pfeifer, JJ., dissent.

Dana A. Deshler, Jr., J., of the Tenth Appellate District, sitting for Resnick, J.

MOTION DOCKET

99-788. State v Eppinger.

Cuyahoga App. No. 72686. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County.

IT IS ORDERED by the court, *sua sponte*, that the stay on the briefing schedule be lifted.

IT IS FURTHER ORDERED by the court that appellee's merit brief shall be due within thirty days of the date of this entry and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. VI.

00-1121. ICG Telecom Group, Inc. v. Pub. Util. Comm.

Public Utilities Comm. No. 99-1153-TP-ARB. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. Upon consideration of the joint motion for stay of Supreme Court proceedings pending Public Utilities Commission investigation and to expedite,

IT IS ORDERED by the court that the motion for stay be, and hereby is, granted.

DISCRETIONARY APPEALS NOT ALLOWED

00-719. Carr v. Eli Lilly & Co.

Cuyahoga App. Nos. 75678, 75679 and 75680. On discretionary appeal, motion to consolidate case with 99-2151, *Alder v. Eli Lilly & Co.*, Summit App. No. 19400, by E.R. Squibb & Sons, Inc. and Westwood-Squibb Pharmaceuticals, Inc., and motion for admission *pro hac vice* by Robin G. Weaver of James J. Dillon for Eli Lilly and Company. The discretionary appeal is denied.

Douglas, F.E. Sweeney and Pfeifer, JJ., dissent.

Dana A. Deshler, Jr., J., of the Tenth Appellate District, sitting for Resnick. J.