

**MEECE ET AL., APPELLANTS, v. STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY, APPELLEE.**

**[Cite as *Meece v. State Farm Mut. Auto. Ins. Co.*, 2000-Ohio-416.]**

*Automobile liability insurance—Uninsured/underinsured motorist coverage—*

*Court of appeals' judgment vacated and cause remanded to trial court.*

(No. 99-2118—Submitted April 11, 2000—Decided May 24, 2000.)

APPEAL from the Court of Appeals for Hamilton County, No. C-980739.

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*Katzman, Logan, Halper & Bennett* and *Philip A. Logan*, for appellants.

*Gallagher, Bradigan, Gams, Pryor & Littrell, L.L.P.*, and *James R. Gallagher*, for appellee.

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{¶ 1} The judgment of the court of appeals is vacated, and the cause is remanded to the trial court for further proceedings and consideration, where applicable, of the Supreme Court's decisions in *Wolfe v. Wolfe* (2000), 88 Ohio St.3d 246, 725 N.E.2d 261, and *Moore v. State Auto. Mut. Ins. Co.* (2000), 88 Ohio St.3d 27, 723 N.E.2d 97.

DOUGLAS, RESNICK, F.E. SWEENEY and PFEIFER, JJ., concur.

DOUGLAS, J., concurs separately.

MOYER, C.J., COOK and LUNDBERG STRATTON, JJ., dissent.

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**DOUGLAS, J., concurring.**

{¶ 2} I concur for the reasons set forth in my concurrence in *Stickney v. State Farm Mut. Auto. Ins. Co.* (2000), 88 Ohio St.3d 504, 727 N.E.2d 1286.

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**LUNDBERG STRATTON, J., dissenting.**

{¶ 3} I respectfully dissent because I do not agree that the analysis of R.C. 3937.18(A)(1) in *Moore v. State Auto. Mut. Ins. Co.* (2000), 88 Ohio St.3d 27, 723 N.E.2d 97, has any application to an analysis of R.C. 3937.18(H) or to R.C. 3937.44. However, to the extent that the majority believes that these cases apply, I respectfully dissent for the reasons set forth in the dissenting opinions in *Wolfe v. Wolfe* (2000), 88 Ohio St.3d 246, 252-255, 725 N.E.2d 261, 267-269, and *Moore v. State Auto. Mut. Ins. Co.*, 88 Ohio St.3d at 33-36, 723 N.E.2d at 103-105.

MOYER, C.J., and COOK, J., concur in the foregoing dissenting opinion.

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