

**WILMINGTON CITY SCHOOL DISTRICT BOARD OF EDUCATION, APPELLANT AND
CROSS-APPELLEE, v. CLINTON COUNTY BOARD OF COMMISSIONERS,
APPELLEE, ET AL.; ABX AIR, INC. ET AL., APPELLEES AND CROSS-APPELLANTS.**

**[Cite as *Wilmington City School Dist. Bd. of Edn. v. Clinton Cty. Bd. of
Commrs.*, 2001-Ohio-170.]**

Appeal and cross-appeal dismissed as improvidently allowed.

(No. 00-1304—Submitted April 4, 2001 at the Lawrence County Session—

Decided July 5, 2001.)

APPEAL and CROSS-APPEAL from the Court of Appeals for Clinton County, No.

CA99-12-37.

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

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

Means, Bichimer, Burkholder & Baker Co., L.P.A., Robert M. Morrow and Sherrille D. Akin, for appellant and cross-appellee.

William C. Peele, Clinton County Prosecuting Attorney, and *Thayne D. Gray*, Assistant Prosecuting Attorney, for appellee Clinton County Board of Commissioners.

Vorys, Sater, Seymour & Pease L.L.P., Daniel J. Buckley, Carol Mahaffey and Mary C. Henkel, for appellee and cross-appellant ABX Air, Inc.

Coolidge, Wall, Womsley & Lombard Co., L.P.A., Roger J. Makley and Dina M. Cary, for appellee and cross-appellant Miller-Valentine Partners, Ltd.

SUPREME COURT OF OHIO

Bricker & Eckler L.L.P. and *Kimball H. Carey*, for *amicus curiae*, Ohio
School Boards Association.
