

**AUTOMOBILE CLUB INSURANCE COMPANY, APPELLEE, v. MILLS ET AL.;**

**BRANNUM, ADMR., APPELLANT.**

**[Cite as *Auto. Club Ins. Co. v. Mills*, 2001-Ohio-21.]**

*Insurance—Liability insurance coverage—Court of appeals’ judgment reversed on authority of Doe v. Shaffer.*

(No. 00-1543—Submitted December 13, 2000—Decided January 17, 2001.)

APPEAL from the Court of Appeals for Clermont County, Nos. CA99-07-064 and CA99-07-070.

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{¶ 1} The judgment of the court of appeals is reversed on the authority of *Doe v. Shaffer* (2000), 90 Ohio St.3d 388, 738 N.E.2d 1243.

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

LUNDBERG STRATTON, J., concurs and dissents.

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**LUNDBERG STRATTON, J., concurring and dissenting.**

{¶ 2} I concur with the decision to reverse on the authority of *Doe v. Shaffer* (2000), 90 Ohio St.3d 388, 738 N.E.2d 1243. However, for the reasons set forth in my dissenting opinion in *Doe, supra*, I respectfully dissent to the extent that the holding in *Doe* is being applied retroactively.

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*Rendigs, Fry, Kiely & Dennis, L.L.P., Joseph W. Gelwicks and Ralph F. Mitchell*, for appellee.

*Heis & Wenstrup Co., L.P.A., Daniel J. Wenstrup and Rebecca J. Allf*, for appellant.

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