

**POST ET AL., APPELLANTS, v. HARBER; OHIO FARMERS INSURANCE COMPANY  
ET AL., APPELLEES.**

**[Cite as *Post v. Harber*, 2001-Ohio-219.]**

*Discretionary appeal allowed—Court of appeals’ judgment reversed and cause remanded for further proceedings on authority of Littrell v. Wigglesworth and Clark v. Scarpelli.*

(No. 01-539—Submitted May 30, 2001—Decided August 8, 2001.)

APPEAL from the Court of Appeals for Vinton County, No. 00CA541.

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{¶ 1} The discretionary appeal is allowed.

{¶ 2} The judgment of the court of appeals is reversed, and the cause is remanded for further proceedings on the authority of *Littrell v. Wigglesworth* (2001), 91 Ohio St.3d 425, 746 N.E.2d 1077, and *Clark v. Scarpelli* (2001), 91 Ohio St.3d 271, 744 N.E.2d 719.

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

COOK, J., concurs in judgment only.

LUNDBERG STRATTON, J., dissents.

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*Elk & Elk Co., L.P.A., and Todd O. Rosenberg*, for appellants.

*Isaac, Brant, Ledman & Teetor, Steven G. LaForge and Barbara Kozar Letcher*, for appellee Ohio Farmers Insurance Company.

*Mann & Preston, L.L.P., and Mark A. Preston*, for appellee State Farm Mutual Automobile Insurance Company.

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