

**PROGRESSIVE INSURANCE COMPANY, APPELLANT, v. STEWART, APPELLEE;  
CINCINNATI INSURANCE COMPANIES, APPELLANT.**

**[Cite as *Progressive Ins. Co. v. Stewart*, 2001-Ohio-89.]**

*Motion for summary reversal on authority of Csulik v. Nationwide Mut. Ins. Co.  
denied—Appeal dismissed as improvidently allowed.*

(No. 99-1287—Submitted March 27, 2001—Decided May 23, 2001.)

APPEAL from the Court of Appeals for Lucas County, No. L-98-1250.

ON MOTION FOR SUMMARY REVERSAL.

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{¶ 1} The motion for summary reversal on the authority of *Csulik v. Nationwide Mut. Ins. Co.* (2000), 88 Ohio St.3d 17, 723 N.E.2d 90, is denied.

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

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

LUNDBERG STRATTON, J., dissents.

COOK, J., not participating.

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

{¶ 3} I would reverse the judgment of the court of appeals and reinstate the judgment of the trial court.

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*Jones & Bahret Co., L.P.A., and Keith J. Watkins*, for appellant Progressive Insurance Company.

*Walter J. Skotynsky*, for appellee.

*Stephen C. Roach*, for appellant Cincinnati Insurance Companies.

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