

**GEGGIE, A.K.A. GEGGIEE, ADMR., APPELLANT, v. COOPER TIRE & RUBBER  
COMPANY, APPELLEE.**

**[Cite as *Geggie v. Cooper Tire & Rubber Co.*, 2002-Ohio-2583.]**

*Appeal dismissed as improvidently allowed.*

(No. 2001-1695—Submitted April 23, 2002—Decided June 19, 2002.)

APPEAL from the Court of Appeals for Hancock County, No. 5-01-13,  
2001-Ohio-2208.

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

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

RESNICK and PFEIFER, JJ., dissent.

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**PFEIFER, J., dissenting.**

{¶2} I dissent from the majority's decision to declare that this case was improvidently allowed. While it is not possible to determine whether Geggie's claim is meritorious, I believe her pleadings were sufficient, pursuant to *Fyffe v. Jenos, Inc.* (1991), 59 Ohio St.3d 115, 570 N.E.2d 1108, paragraphs one and two of the syllabus, to survive a Civ.R. 12(B)(6) motion for dismissal.

RESNICK, J., concurs in the foregoing dissenting opinion.

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Siferd & McCluskey, L.P.A., and Richard E. Siferd; and Samuel W. Diller,  
for appellant.

Jones, Day, Reavis & Pogue, Robert S. Walker and Colleen Conley; and  
Gregory E. Meyers, for appellee.

SUPREME COURT OF OHIO

Vorys, Sater, Seymour & Pease, L.L.P., Robin R. Obetz and Robert A.  
Minor, urging affirmance for amicus curiae Ohio Self-Insurers' Assn.

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