

STONE, APPELLANT, v. MEDAGLIA-DELL, APPELLEE, ET AL.

[Cite as *Stone v. Medaglia-Dell*, 2002-Ohio-6296.]

Appeal dismissed as improvidently allowed.

(No. 2001-1300—Submitted September 24, 2002—Decided December 4, 2002.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 78293.

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

MOYER, C.J., DOUGLAS, PFEIFER, COOK and LUNDBERG STRATTON, JJ., concur.

RESNICK and F.E. SWEENEY, JJ., dissent and would reverse the judgment of the court of appeals.

Nurenberg, Plevin, Heller & McCarthy Co., L.P.A., and Kathleen J. St. John, for appellant.

Fifner & Associates and Timothy P. Whitford, for appellee.
