

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

December 27, 2002

MERIT DECISIONS WITH OPINIONS

2001-1843. Ferrando v. Auto-Owners Mut. Ins. Co., 2002-Ohio-7217.

Ashtabula App. No. 2000-A-0038. Judgment reversed and cause remanded.

Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Moyer, C.J., concurs in paragraph one of the syllabus, and dissents from paragraph two of the syllabus, the opinion, and the judgment.

Lundberg Stratton, J., concurs in part and dissents in part.

Cook, J., dissents.

2001-2036. Ohio State Bldg. & Constr. Trades Council v. Cuyahoga Cty. Bd. of Commrs., 2002-Ohio-7213.

Cuyahoga App. Nos. 77242 and 77262, 2001-Ohio-4228. Judgment reversed and judgment of the trial court reinstated.

Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Douglas, J., concurs and concurs separately.

Moyer, C.J., and Lundberg Stratton, J., concur in syllabus and judgment.

Cook, J., concurs in judgment only.

2001-2134. In re Hockstok, 2002-Ohio-7208.

Licking App. No. 01CA40, 2001-Ohio-1680. Judgment affirmed and cause remanded.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney and Lundberg Stratton, JJ., concur.

Pfeifer, J., dissents.

Cook, J., dissents.

MOTION AND PROCEDURAL RULINGS

2002-0803 and 2002-0837. German v. Therm-O-Disc, Inc.

Richland App. No. 01CA512, 2002-Ohio-1848. Sua sponte, cause held for the decision in 2002-0579, *Burkhart v. CNA Ins. Co.*, Stark App. No. 2001CA00265, 2002-Ohio-903; briefing schedule stayed.

Cook and Lundberg Stratton, JJ., dissent and would schedule this cause for argument on the same date as in 2002-0579.

2002-1336. Withem v. Cincinnati Ins. Co.

Franklin App. No. 01AP-1286, 2002-Ohio-3067. Sua sponte, cause held for the decision in 2002-0579, *Burkhart v. CNA Ins. Co.*, Stark App. No. 2001CA00265, 2002-Ohio-903; briefing schedule stayed.

Cook, J., not participating.

2002-2132. State ex rel. Burton v. Welbaum.

In Prohibition. On relator's request for emergency relief.

IT IS ORDERED that relator's request be, and hereby is, denied. This cause will continue to proceed under S.Ct.Prac.R. X(5).

Moyer, C.J., and Pfeifer, J., dissent and would dismiss the cause.

MISCELLANEOUS DISMISSALS

2002-1206. Natl. Indemn. Co. v. Ryerson.

Certified Question of State Law, No. C2-01-0223. This cause came before the court on the certification of a state law question from the United States District Court for the Southern District of Ohio, Eastern Division. Upon consideration of the joint application for dismissal,

IT IS ORDERED by the court that the application for dismissal be, and hereby is, granted.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.