

COHARA, APPELLANT, v. CONSOLIDATED RAIL CORPORATION, APPELLEE.

[Cite as *Cohara v. Consol. Rail Corp.*, 99 Ohio St.3d 236, 2003-Ohio-3390.]

Appeal dismissed as improvidently allowed.

(No. 2002-0903 — Submitted April 16, 2003 — Decided July 16, 2003.)

APPEAL from the Court of Appeals for Cuyahoga County, Nos. 79459 and 79819,
148 Ohio App.3d 153, 2002-Ohio-1557.

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

MOYER, C.J., RESNICK, F.E. SWEENEY, PFEIFER, LUNDBERG STRATTON and O’CONNOR, JJ., concur.

LAZARUS, J., dissents.

CYNTHIA A. LAZARUS, J., of the Tenth Appellate District, sitting for COOK, J.

Stage & Michelson Co., L.P.A., Michael B. Michelson and Andrew J. Thompson, for appellant.

Gallagher, Sharp, Fulton & Norman, Sheila A. McKeon, Timothy J. Fitzgerald and Richard J. Scislowski, for appellee.
