

KLAUSS, APPELLEE, v. MARC GLASSMAN, INC. ET AL., APPELLANTS.

[Cite as *Klauss v. Marc Glassman, Inc.*, 99 Ohio St.3d 305, 2003-Ohio-3632.]

Discretionary appeal allowed — Court of appeals' judgment reversed on authority of Armstrong v. Best Buy Co., Inc.

(No. 2003-0386 — Submitted June 3, 2003 — Decided July 23, 2003.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 80741, 2003-Ohio-157.

{¶1} The discretionary appeal is allowed.

{¶2} The judgment of the court of appeals is reversed and the cause is remanded to the trial court for further proceedings on the authority of *Armstrong v. Best Buy Co., Inc.*, 99 Ohio St.3d 79, 2003-Ohio-2573, 788 N.E.2d 1088.

MOYER, C.J., F.E. SWEENEY, LUNDBERG STRATTON, O'CONNOR and O'DONNELL, JJ., concur.

RESNICK and PFEIFER, JJ., dissent.

Jeffries, Kube, Forrest & Monteleone Co., L.P.A., and Bradford D. Zelasko, for appellee.

Schulman, Schulman & Meros, John C. Meros and Jack M. Schulman, for appellant.
