

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

November 24, 2003

MERIT DECISIONS WITHOUT OPINIONS

2003-0448. Dalton v. Travelers Ins. Co.

Stark App. No. 2001CA00380, 2002-Ohio-7369. Sua sponte, cause dismissed as having been improvidently allowed, and oral argument canceled.

Moyer, C.J., Resnick, F.E. Sweeney, Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

Pfeifer, J., dissents and would not dismiss the appeal.

MOTION AND PROCEDURAL RULINGS

2002-0932, Westfield Ins. Co. v. Galatis.

Summit 20784, 2002-Ohio-1502. Upon consideration of the motions of amici curiae Ohio Academy of Trial Lawyers and Bruce J. German for leave to file motions for reconsideration in this case,

IT IS ORDERED by the court that the amici curiae motions for leave to file motions for reconsideration be, and hereby are, granted.

IT IS FURTHER ORDERED by the court that amici curiae Ohio Academy of Trial Lawyers and Bruce J. German file their motions for reconsideration within 10 days of the date of this entry.

Mary DeGenaro, J., of the Seventh Appellate District, sitting for Cook, J.

2002-1122. Alatsis v. Nationwide Ins. Ent.

Franklin App. No. 01AP-1038, 2002-Ohio-2906. On November 14, 2003, amicus curiae Ohio Academy of Trial Lawyers filed a motion for leave to file motion for reconsideration. The motion did not comply with the requirements of the Rules of Practice of the Supreme Court of Ohio. Accordingly,

IT IS ORDERED by the court that the motion be, and hereby is, stricken.

Resnick, J., dissents.

Upon consideration of the motions for leave of amicus curiae Bruce J. German to file under S.Ct.Prac.R. XI in the following cases,

IT IS ORDERED by the court that the motions be, and hereby are, granted.

IT IS FURTHER ORDERED by the court that amicus curiae Bruce J. German file his motions for reconsideration within 10 days of the date of this entry.

O'Connor and O'Donnell, JJ., would grant the above motions in the cases in which the parties themselves have filed motions for reconsideration but dismiss where the parties themselves have not filed.

2002-1122 and 2002-1459. Alatsis v. Nationwide Ins. Ent., Franklin App. No. 01AP-1038, 2002-Ohio-2906.

2002-1245 and 2002-1271. Estate of Houser v. Motorists Ins. Co., Auglaize App. No. 2-02-02, 2002-Ohio-2845.

2002-1336. Withem v. Cincinnati Ins. Co., Franklin App. No. 01AP-1286, 2002-Ohio-3067.

2002-1925 and 2002-2121. Skala v. Grange Ins. Co., Summit App. No. 20941, 2002-Ohio-5040.

2002-1989. Addie v. Linville, Cuyahoga App. Nos. 80547 and 80916, 2002-Ohio-5333.

2002-2066 and 2002-2188. Miller v. Grange Mut. Cas. Co., Stark App. No. 2002CA00058, 2002-Ohio-5763.

2002-2139. Szekeres v. State Farm Fire & Cas. Co., Licking App. No. 02CA00004, 2002-Ohio-5989.

2002-2158. Thorne v. Amerisure Ins. Co., Summit App. No. 21137, 2002-Ohio-6123.

2003-0074. Knox v. Travelers Ins. Co., Franklin App. No. 02AP-28, 2002-Ohio-6958.

2003-0153. Niese v. Maag, Putnam App. No. 12-02-06, 2002-Ohio-6986.

2003-0239. Mlecik v. Farmers Ins. Co., Cuyahoga App. No. 81110, 2002-Ohio-6222.

2003-0353. Bergmeyer v. Auto Owners Ins. Co., Stark App. No. 2002CA00228, 2003-Ohio-133.

2003-0391 and 2003-0535. Wilke v. Montes, Ottawa App. No. OT-02-003, 2003-Ohio-217.

2003-0492 and 2003-0493. Rice v. Buckeye State Mut. Ins. Co., Logan App. No. 8-02-24, 2003-Ohio-390.

2003-0500. Jones v. Gue, Summit App. Nos. 21118 and 21136, 2003-Ohio-358.

2003-0510. Mazza v. Am. Continental Ins. Co., Summit App. No. 21192, 2003-Ohio-360.

2003-0524. Wiley v. Grange Mut. Cas. Co., Summit App. No. 21145, 2003-Ohio-539.

2003-0641. Buckley v. Wintering, Franklin App. No. 02AP-511, 2003-Ohio-824.

2003-0778 and 2003-0780. Musser v. Musser, Adams App. No. 02CA750, 2003-Ohio-1440.

2003-0794. Heath v. Fid. & Cas. Co. of New York, Summit App. No. 21221, 2003-Ohio-1303.

2003-0805. Adams v. Fink, Ross App. No. 02CA2660, 2003-Ohio-1457.

2003-0840 and 2003-0981. Frisch v. CNA Commercial Ins., Seneca App. Nos. 13-02-36 and 13-02-40, 2003-Ohio-1574.

2003-0938. Wheeler v. W. Res. Mut. Cas. Co., Wayne App. No. 02CA0043, 2003-Ohio-1806.

2003-0972. Shanabarger v. Hartford Ins. Co., Hancock App. No. 5-02-61, 2003-Ohio-1912.

2003-1065. Kohntopp v. Hamilton Mut. Ins. Co., Wood App. No. WD-02-033, 2003-Ohio-2793.

2003-1107. Davis v. Westfield Cos., Lorain App. No. 02CA008114, 2003-Ohio-2339.

2003-1122 and 2003-1159. Universal Underwriters Ins. Co. v. Estate of Miller, Stark App. No. 2002CA00225, 2003-Ohio-2489.

2003-1181. Landers v. Lucent Technologies, Inc., Cuyahoga App. Nos. 81506 and 81531, 2003-Ohio-3326.

2003-1183. Rosenberry v. Morris, Stark App. No. 2002-CA-00399, 2003-Ohio-2743.

2003-1205. Delong v. Myers, Knox App. No. 02CA000035, 2003-Ohio-2702.

2003-1268. Jones v. Morehart, Seneca App. No. 13-03-06, 2003-Ohio-2995.

2003-1271. Hans v. Hartford Ins. Co., Hamilton App. No. C-020500, 2003-Ohio-3045.

2003-1277. Radwandky v. Hartford Ins. Co., Cuyahoga App. No. 82249, 2003-Ohio-3029.

2003-1307. Young v. Plageman, Hancock App. No. 5-02-66, 2003-Ohio-2996.

2003-1327. Rucker v. Davis, Ross App. No. 02CA2673, 2003-Ohio-3191.

2003-1328. Rucker v. Davis, Ross App. No. 02CA2677, 2003-Ohio-3189.

2003-1360. Smith v. Liberty Mut. Ins. Co., Summit App. No. 21311, 2003-Ohio-3160.

2003-1375 and 2003-1433. Westfield Ins. Co. v. Metzler, Summit App. No. 21517, 2003-Ohio-3788.

2003-1470 and 2003-1471. Hoop v. Nationwide Mut. Fire Ins. Co., Montgomery App. No. 19686, 2003-Ohio-3772.

2003-1477. Cincinnati Ins. Co. v. Perkins, Paulding App. No. 11-03-04, 2003-Ohio-3586.

2002-1854. Roberts v. Wausau Business Ins. Co., Franklin App. Nos. 02AP-04 and 02AP-05, 2002-Ohio-4734.

2002-1986. Shaw v. State Farm Ins. Co., Cuyahoga App. No. 80471, 2002-Ohio-5330.

2002-2123. Kekic v. Royal & SunAlliance Ins. Co., Cuyahoga App. No. 80693, 2002-Ohio-5563.

2002-2198. Vicars v. McCray, Summit App. No. 21087, 2002-Ohio-6033.

2002-2214. Greene v. Westfield Ins. Co., Stark App. No. 2002CA00114, 2002-Ohio-6179.

2002-2228. Nationwide Agribusiness Ins. Co. v. Wagner, Summit App. No. 21013, 2002-Ohio-6119.

2003-0195 and 2003-0430. Greene v. Westfield Ins. Co., Stark App. No. 2002CA00126, 2002-Ohio-7210.

2003-0213. Monroe Guar. Ins. Co. v. Kuba, Stark App. No. 2002CA00175, 2002-Ohio-7010.

2003-0232. Warren v. Hartford Ins. Co., Cuyahoga App. No. 81139, 2002-Ohio-7067.

2003-0301. Westfield Ins. Co. v. Wausau Business Ins. Co., Stark App. Nos. 2002CA00138 and 2002CA00150, 2002-Ohio-7391.

2003-0522. Congrove v. Wausau Ins. Cos., Pickaway App. No. 02CA8, 2003-Ohio-1083.

2003-0523. Carle v. Stumbo, Pickaway App. No. 02CA2, 2003-Ohio-1084.

2003-0525 and 2003-0603. Brozovic v. St. Paul Fire & Marine Ins. Co., Cuyahoga App. No. 80868, 2003-Ohio-554.

2003-0532. Pilo v. Liberty Mut. Fire Ins. Co., Ashland App. No. 02-COA-038, 2003-Ohio-662.

2003-0561. Dimalanta v. Travelers Ins. Co., Cuyahoga App. No. 81445, 2003-Ohio-562.

2003-0729. Sekula v. Hartford Ins. Co., Cuyahoga App. No. 81295, 2003-Ohio-1160.

2003-0844. Taylor v. Universal Underwriters Ins. Co., Franklin App. No. 01AP-922, 2003-Ohio-1446.

2003-0845. Grubb v. Michigan Mut. Ins. Co., Montgomery App. No. 19575, 2003-Ohio-1558.

2003-0872 and 2003-0983. Stout v. Travelers Property Cas. Ins. Co., Franklin App. No. 02AP-628, 2003-Ohio-1643.

2003-0896. Wilson v. Haimerl, Madison App. No. CA2002-08-017, 2003-Ohio-1774.

2003-0923 and 2003-1068. Archer v. ACE, USA, Franklin App. No. 02AP-882, 2003-Ohio-1790.

2003-0942. Gates v. Nationwide Ins. Co., Clermont App. No. CA2002-10-086, 2003-Ohio-1773.

2003-0957. Lipstreu v. The Hartford, Cuyahoga App. No. 81515, 2003-Ohio-1729 and 2003-Ohio-1955.

2003-1114. Repl v. Jones, Summit App. No. 21299, 2003-Ohio-2350.

2003-1250. Hughes v. Nationwide Mut. Ins. Co., Franklin App. Nos. 02AP-1254 and 02AP-1256.

2003-1254. Hartfield v. Toys “R” Us, Lucas App. Nos. L-02-1218 and L-02-1228, 2003-Ohio-2905.

2003-1319 and 2003-1426. Tulak v. Meridian Ins. Co., Tuscarawas App. No. 2002-AP-11-0088, 2003-Ohio-3290 and 2003-Ohio-4139.

2003-1394. Pratt v. Safe Auto Ins. Co., Cuyahoga App. No. 81741, 2003-Ohio-3350.

2003-1400. Stubbins v. Nationwide Agribusiness Ins. Co., Fulton App. No. F-02-031, 2003-Ohio-3456.

2003-0258 and 2003-0415. Poulton v. Am. Economy Ins. Co., Stark App. Nos. 2002-CA-00038 and 2002-CA-00061, 2002-Ohio-7214.

2003-0825. Edgell v. Monroe Guar. Ins. Co., Muskingum App. No. CT2002-0008, 2003-Ohio-1666.

2003-0882. Riggs v. Motorists Mut. Ins. Co., Franklin App. No. 02AP-876, 2003-Ohio-1657.

2003-1086. Morrison v. Emerson, Stark App. No. 2002CA00414, 2003-Ohio-2708.

2003-1090. Sagar v. Nationwide Mut. Fire Ins. Co., Franklin App. No. 02AP-1104, 2003-Ohio-2268.

2003-1180. Blake v. Midwestern Indemn. Co., Tuscarawas App. No. 2002AP060049, 2003-Ohio-2698.

2003-1182. Walker v. Hartford Fire Ins. Co., Butler App. No. CA2002-09-219, 2003-Ohio-2545.

2003-1240. Dalton v. Lumbermens Mut. Ins. Co., Stark App. No. 2002CA00198, 2003-Ohio-2897.

2003-1343. Ryan v. Dolin, Cuyahoga App. No. 81689, 2003-Ohio-2738.

2003-1396. Haney v. Motorists Mut. Ins. Co., Tuscarawas App. No. 2002AP110093, 2003-Ohio-3412.

2002-0740. Purvis v. Cincinnati Ins. Co., Greene App. No. 2001-CA-104, 2002-Ohio-1803.

2002-2075. Pahler v. Motorists Mut. Ins. Co., Stark App. No. 2002CA00022, 2002-Ohio-5762.

2003-0270. Dalton v. Travelers Ins. Co., Stark App. Nos. 2001CA00380, 2001CA00393, 2001CA00407, and 2001CA00409, 2002-Ohio-7369.

2003-0827 and 2003-0867. Akron Gen. Med. Ctr. v. James, Holmes App. No. 2002 CA 009, 2003-Ohio-4931.

2003-0886. Franklin v. Am. Mfrs. Mut. Ins. Co., Cuyahoga App. No. 81197, 2003-Ohio-1340.

2003-0925 and 2003-1028. Heidt v. Fed. Ins. Co., Stark App. No. 2002CA00314, 2003-Ohio-1785.

2003-1330 and 2003-1331. Amore v. Grange Ins. Co., Richland App. No. 02CA76, 2003-Ohio-3202.

2003-1384 and 2003-1714. Cincinnati Ins. Co. v. Lang, Lake App. No. 2002-L-063, 2003-Ohio-3267.

2003-0427. Gruelich v. The Hartford, Cuyahoga App. No. 80987, 2003-Ohio-652.

2003-0597. Williams v. Zurich Am. Ins. Co., Certified Question of State Law No. 3:02CV7300.

2003-0406. Keegan v. Am. Internatl. Group, Inc., Certified Question of State Law No. 3:02CV7127.