

**WELSH ET AL., APPELLEES, v. INDIANA INSURANCE COMPANY ET AL.; OHIC  
INSURANCE COMPANY, APPELLANT.**

**[Cite as *Welsh v. Indiana Ins. Co.*, 101 Ohio St.3d 1247, 2004-Ohio-1621.]**

*Motions for reconsideration denied.*

(Nos. 2003-1948 and 2003-1949 — Submitted March 15, 2004 — Decided April  
14, 2004.)

APPEAL from and CERTIFIED by the Court of Appeals for Stark County, No.  
2002CA00378, 2003-Ohio-5054 and 2003-Ohio-5244.

ON MOTIONS FOR RECONSIDERATION.

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**{¶1}** The motions for reconsideration of the entries of January 21, 2004,  
found at 101 Ohio St.3d 1424, 2004-Ohio-123, 802 N.E.2d 154, and 101 Ohio  
St.3d 1418, 2004-Ohio-123, 802 N.E.2d 150, are denied.

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

LUNDBERG STRATTON, J., concurs separately.

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**LUNDBERG STRATTON, J., concurring.**

**{¶2}** I concur with the decision to deny reconsideration. However, as I  
stated in my concurring opinion in *Fish v. Ohio Cas. Ins. Co.*, 101 Ohio St.3d  
1210, 2004-Ohio-224, 802 N.E.2d 149, I believe that *Westfield Ins. Co. v. Galatis*,  
100 Ohio St.3d 216, 2003-Ohio-5849, 797 N.E.2d 1256, applies to all pending  
cases where a claim has been raised under *Scott-Pontzer v. Liberty Mut. Fire Ins.  
Co.* (1999), 85 Ohio St.3d 660, 710 N.E.2d 1116. Here, the appellate court has  
remanded the case to the trial court for further proceedings. The proceedings on  
remand should include application of *Galatis*.

SUPREME COURT OF OHIO

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John S. Coury, for appellees.

Thompson Hine L.L.P., Scott A. Campbell and John T. Sunderland, for  
appellant.

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