

**CINCINNATI COMPANIES v. ALBERS ET AL.; HOMAN ET AL., APPELLANTS;
CINCINNATI CASUALTY COMPANY ET AL., APPELLEES.**

[Cite as *Cincinnati Cos. v. Albers*, 103 Ohio St.3d 475, 2004-Ohio-5702.]

*Insurance — Motor vehicles — Uninsured/underinsured motorist coverage —
Court of appeals' judgment affirmed on the authority of Kyle v. Buckeye
Union Ins. Co.*

(No. 2004-0544 — Submitted October 13, 2004 — Decided November 10, 2004.)

APPEAL from the Court of Appeals for Mercer County, No. 10-03-10, 2004-Ohio-
806.

{¶1} The judgment of the court of appeals is affirmed on the authority
of *Kyle v. Buckeye Union Ins. Co.*, 103 Ohio St.3d 170, 2004-Ohio-4885, 814
N.E.2d 1195.

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

RESNICK, F.E. SWEENEY and PFEIFER, JJ., dissent.

Robert W. Kerpsack Co., L.P.A., and Robert W. Kerpsack, for appellants.
Utrecht & Young, L.L.C., and James D. Utrecht, for appellee Cincinnati
Casualty Company.

Freund, Freeze & Arnold, Christopher W. Carrigg and Jamey T. Pregon,
for appellee Republic Franklin Insurance Company.
