

**RATKOSKY, APPELLEE, v. SCOTTSDALE SURPLUS LINES INSURANCE COMPANY
ET AL.; ALLSTATE INSURANCE COMPANY, APPELLANT.**

**[Cite as *Ratkosky v. Scottsdale Surplus Lines Ins. Co.*, 103 Ohio St.3d 462,
2004-Ohio-5705.]**

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

(No. 2003-1261 — Submitted October 13, 2004 — Decided November 10, 2004.)
APPEAL from the Court of Appeals for Cuyahoga County, No. 81519, 2003-Ohio-
2868.

{¶1} The judgment of the court of appeals is reversed 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.

Jeffries, Kube, Forrest & Monteleone Co., L.P.A., and Mark E. Barbour,
for appellee.

Riteler, Coughlin & Swansinger, Ltd., Thomas M. Coughlin Jr., Timothy
P. Whitford and Michael A. Paglia, for appellant.
