

**INDIANA INSURANCE COMPANY, APPELLEE, v. FARMERS INSURANCE OF
COLUMBUS, INC. ET AL., APPELLEES; FEDERAL INSURANCE COMPANY,
APPELLANT.**

**INDIANA INSURANCE COMPANY, APPELLEE, v. FARMERS INSURANCE OF
COLUMBUS, INC. ET AL.; CINCINNATI INSURANCE COMPANY, APPELLANT.**

**INDIANA INSURANCE COMPANY, APPELLEE, v. FARMERS INSURANCE OF
COLUMBUS, INC. ET AL.; FEDERAL INSURANCE COMPANY, APPELLANT.**

**[Cite as *Indiana Ins. Co. v. Farmers Ins. of Columbus, Inc.*, 101 Ohio St.3d
1231, 2004-Ohio-735.]**

Motions for reconsideration denied.

(Nos. 2003-1861, 2003-1869, and 2003-2027 — Submitted February 3, 2004 —
Decided March 3, 2004.)

APPEALS from the Court of Appeals for Tuscarawas County, No. 2002AP110089,
2003-Ohio-4855.

APPEAL from the Court of Appeals for Tuscarawas County, No. 2002AP110090,
2003-Ohio-4851.

ON MOTIONS FOR RECONSIDERATION.

{¶1} The motions for this court to reconsider the judgment entries in
Indiana Ins. Co. v. Farmers Ins. of Columbus, 100 Ohio St.3d 1547, 2003-Ohio-
6879, 800 N.E.2d 752 (two entries), and *Indiana Ins. Co. v. Farmers Ins. of
Columbus*, 100 Ohio St.3d 1542, 2003-Ohio-6879, 800 N.E.2d 748, are denied.

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

LUNDBERG STRATTON, J., concurs separately.

SUPREME COURT OF OHIO

O'DONNELL, J., concurs in 2003-1861 and 2003-1869, but would grant reconsideration in 2003-2027.

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 on the issue of an award of prejudgment interest. A remand of these proceedings, however, should include application of *Galatis*.

John S. Coury and Nanette Degarmo Von Allman, for appellees Vernon L. McDonald and Lori Scott in case Nos. 2003-1861, 2003-1869, and 2003-2027.

Gallagher, Sharp, Fulton & Norman, Timothy J. Fitzgerald, D. John Travis and Richard C.O. Rezie, for appellant Federal Insurance Company in case Nos. 2003-1861 and 2003-2027.

Baker, Dublikar, Beck, Wiley & Mathews and James F. Mathews, for appellant Cincinnati Insurance Company in case No. 2003-1869.
