

**SIMON ET AL., APPELLEES, v. COMMONWEALTH LAND  
TITLE INSURANCE COMPANY, APPELLANT.**

**[Cite as *Simon v. Commonwealth Land Title Ins. Co.*,  
108 Ohio St.3d 318, 2006-Ohio-1061.]**

*Title insurance — Enforceability of arbitration clause — Court of appeals’  
judgment affirmed on the authority of Henderson v. Lawyers Title Ins.  
Corp.*

(No. 2005-0806 — Submitted February 8, 2006 — Decided March 22, 2006.)

APPEAL from the Court of Appeals for Cuyahoga County,

No. 84553, 2005-Ohio-1007.

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{¶ 1} The judgment of the court of appeals is affirmed on the authority  
of *Henderson v. Lawyers Title Ins. Corp.*, 108 Ohio St.3d 265, 2006-Ohio-906,  
843 N.E.2d 152.

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

LUNDBERG STRATTON and LANZINGER, JJ., dissent.

O’DONNELL, J., not participating.

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**LANZINGER, J., dissenting.**

{¶ 2} For the reasons set forth in my dissenting opinion in *Henderson v.  
Lawyers Title Ins. Corp.*, 108 Ohio St.3d 26, 2006-Ohio-906, 843 N.E.2d 152, I  
respectfully dissent.

LUNDBERG STRATTON, J., concurs in the foregoing opinion.

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SUPREME COURT OF OHIO

Ulmer & Berne, L.L.P., Marvin L. Karp, and David D. Yeagley; and Sonkin & Koberna Co., L.P.A., Mark R. Koberna, Rick D. Sonkin, and Stephen B. Doucette, for appellees.

Collins & Scanlon, L.L.P., Thomas J. Scanlon, Tim L. Collins, and M. Scott Wilson, for appellant.

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