

[Cite as *Coleman v. Dogra*, 108 Ohio St.3d 529, 2006-Ohio-1707.]

COLEMAN, ADMR., APPELLEE, v. DOGRA ET AL., APPELLANTS.

[Cite as *Coleman v. Dogra*, 108 Ohio St.3d 529, 2006-Ohio-1707.]

Torts — Medical malpractice — Judgment affirmed on the authority of Schirmer v. Mt. Auburn Obstetrics & Gynecologic Assoc., Inc.

(No. 2004-1239 — Submitted April 13, 2005 — Decided April 19, 2006.)

APPEAL from the Court of Appeals for Cuyahoga County,
No. 83522, 157 Ohio App.3d 530, 2004-Ohio-3109.

{¶ 1} The judgment of the court of appeals is affirmed on the authority of *Schirmer v. Mt. Auburn Obstetrics & Gynecologic Assoc., Inc.*, 108 Ohio St.3d 494, 2006-Ohio-942, ___ N.E.2d ___.

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

LUNDBERG STRATTON, O’DONNELL and LANZINGER, JJ., dissent.

O’DONNELL, J., dissenting.

{¶ 2} Because the creation of a medical-malpractice action for wrongful birth following negligent genetic testing or failure to diagnose a fetal defect does not fit into traditional tort analysis and involves matters of public policy better left to the General Assembly, as I explained in my dissenting opinion in *Schirmer v. Mt. Auburn Obstetrics & Gynecologic Assoc., Inc.*, 108 Ohio St.3d 494, 2006-Ohio-942, ___ N.E.2d ___, I respectfully dissent.

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

LANZINGER, J., dissenting.

SUPREME COURT OF OHIO

{¶ 3} For the reasons set forth in my dissenting opinion in *Schirmer v. Mt. Auburn Obstetrics & Gynecologic Assoc., Inc.*, 108 Ohio St.3d 494, 2006-Ohio-942, ___ N.E.2d ___, I respectfully dissent.

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

Garson & Associates Co., L.P.A., Christian R. Patno, and James A. DeRoche, for appellee.

Reminger & Reminger Co., L.P.A., William A. Meadows, Brian D. Sullivan, and Jennifer Rinkes, for appellant Vikram Dogra, M.D.

Davis & Young, Jan L. Roller, and Richard M. Garner, for appellants University Hospitals, Cleveland Women's Health Center, Debra Hanson, C.N.M., Sharon Kerwin, C.N.M., and Ann Raffis, C.N.P.
