

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

May 16, 2007

[Cite as *05/16/2007 Case Announcements*, 2007-Ohio-2208.]

MERIT DECISIONS WITH OPINIONS

2005-1993 and 2005-2032. Elston v. Howland Local Schools, 2007-Ohio-2070.

Trumbull App. No. 2004-T-0092, 2005-Ohio-4765. Judgment reversed and judgment of the trial court reinstated.

Moyer, C.J., Wolff, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

Pfeifer, J., dissents.

William H. Wolff Jr., J., of the Second Appellate District, was assigned to sit for Resnick, J., whose term ended on January 1, 2007.

Cupp, J., whose term began on January 2, 2007, did not participate in the consideration or decision of this case.

2005-2162. Bellman v. Am. Internatl. Group, 2007-Ohio-2071.

Lucas App. No. L-03-1301, 163 Ohio App.3d 540, 2005-Ohio-5250. Judgment affirmed.

Moyer, C.J., Walsh, Lundberg Stratton, O'Connor, O'Donnell and Wise, JJ., concur.

Pfeifer, J., concurs in judgment only.

James E. Walsh, J., of the Twelfth Appellate District, was assigned to sit for Resnick, J., whose term ended on January 1, 2007.

John W. Wise, J., of the Fifth Appellate District, was assigned to sit for Lanzinger, J.

Cupp, J., whose term began on January 2, 2007, did not participate in the consideration or decision of this case.

2005-2411. Shaker Hts. v. Mosely, 2007-Ohio-2072.

Cuyahoga App. No. 85227, 2005-Ohio-5433. Judgment affirmed.

Moyer, C.J., Sadler, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

Lisa Sadler, J., of the Tenth Appellate District, was assigned to sit for Resnick, J., whose term ended on January 1, 2007.

Cupp, J., whose term began on January 2, 2007, did not participate in the consideration or decision of this case.

2006-0355. J.M. Smucker, L.L.C. v. Levin, 2007-Ohio-2073.

Board of Tax Appeals, No. 2004-R-184. Decision affirmed.

Moyer, C.J., Lundberg Stratton, O'Connor, Lanzinger and Cupp, JJ., concur.
Pfeifer and O'Donnell, JJ., dissent.

2006-1197. Disciplinary Counsel v. Johnson, 2007-Ohio-2074.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 04-080. Bryan Bright Johnson, Attorney Registration No. 0003981, is suspended from the practice of law in Ohio for one year, with six months stayed on conditions, and a six-month probation period is imposed.

Moyer, C.J., Calabrese, Pfeifer, Lundberg Stratton, O'Connor, O'Donnell and Lanzinger, JJ., concur.

Anthony O. Calabrese Jr., J., of the Eighth Appellate District, was assigned to sit for Resnick, J., whose term ended on January 1, 2007.

Cupp, J., whose term began on January 2, 2007, did not participate in the consideration or decision of this case.

2006-1638. Disciplinary Counsel v. Robertson, 2007-Ohio-2075.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 05-100. Jerry D. Robertson, Attorney Registration No. 0003321, is indefinitely suspended from the practice of law in Ohio.

Moyer, C.J., Pfeifer, O'Connor, O'Donnell, Lanzinger and Cupp, JJ., concur.
Lundberg Stratton, J., dissents.

2006-2287. Disciplinary Counsel v. Mathewson, 2007-Ohio-2076.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 05-052. Thomas George Mathewson, Attorney Registration No. 0067048, is indefinitely suspended from the practice of law in Ohio.

Moyer, C.J., Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger and Cupp, JJ., concur.

2006-2335. Columbus Bar Assn. v. Dugan, 2007-Ohio-2077.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 06-019. Vincent A. Dugan Jr., Attorney Registration No. 0025982, is publicly reprimanded.

Moyer, C.J., Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger and Cupp, JJ., concur.

2007-0037. State ex rel. Martin v. Mannen, 2007-Ohio-2078.

Cuyahoga App. No. 89007, 2006-Ohio-6567. Judgment affirmed.

Moyer, C.J., Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger and Cupp, JJ., concur.

2007-0148. State v. Brewer, 2007-Ohio-2079.

Cuyahoga App. No. 87701, 2006-Ohio-6029. Discretionary appeal accepted, judgment reversed, and cause remanded.

Moyer, C.J., Lundberg Stratton, O'Connor, O'Donnell, Lanzinger and Cupp, JJ., concur.

Pfeifer, J., dissents.

MERIT DECISIONS WITHOUT OPINIONS

2007-0402. State ex rel. Morris v. Bur. of Sentence Computation.

In Mandamus. On motion to dismiss. Motion to dismiss granted. Cause dismissed.

Moyer, C.J., Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger and Cupp, JJ., concur.

2007-0499. Pesci v. Parks.

In Procedendo. On motion for leave to intervene and respondent's motion to dismiss. Motion for leave to intervene granted. Motion to dismiss granted. Cause dismissed.

Moyer, C.J., Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger and Cupp, JJ., concur.

2007-0643. State ex rel. Highland Local Schools Bd. of Edn. v. Russo.

In Mandamus and Prohibition. On respondent's motions to dismiss and for sanctions for frivolous action. Motion for sanctions denied. Motion to dismiss granted. Cause dismissed.

Moyer, C.J., Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger and Cupp, JJ., concur.

MOTION AND PROCEDURAL RULINGS

1991-0963. State v. Carter.

Hamilton App. No. C-890513. On motion for stay of execution. Motion denied.
Moyer, C.J., dissents.

2006-1333. State ex rel. York Internatl. Corp. v. Indus. Comm.

Franklin App. No. 04AP-979, 2005-Ohio-3792. On request for oral argument of York International Corporation. Request denied.

2006-2073. Bikkani v. Lee.

Cuyahoga App. No. 88650. On bill and documentation for attorneys' fees, costs, and expenses filed by appellees Northeast Ohio Neighborhood Health Services, Inc., and Total Health. Attorneys' fees and expenses in the amount of \$7,616.03 are awarded. Objections to bill and documentation and motion to strike objections to bill and documentation are dismissed as moot.

2006-2302. Bikkani v. Lee.

Cuyahoga App. No. 88650. On motion for sanctions for frivolous action. Motion granted. Appellees shall file a bill and documentation of reasonable expenses and attorneys' fees within twenty days of the date of this entry. Appellant may file objections to appellees' bill and documentation within ten days of the filing of the bill and documentation, and appellees may file a reply to appellant's objections, if any, within five days of the filing of the objections.

2007-0414. Perry Videx LLC v. LeBeau.

Certified Questions of State Law, United States District Court for the Northern District of Ohio, Eastern Division, Case No. 5:06-CV-502. On review of preliminary memoranda pursuant to S.Ct.Prac.R. XVIII(6). Sua sponte, cause held for the decision in 2006-1914, *Groch v. Gen. Motors Corp.*, United States District Court, Northern District of Ohio, Western Division, Case No. 3:06-CV-1604, and briefing schedule stayed.

Moyer, C.J., would also order briefing on questions 5, 6, and 7.

Pfeifer, J., would answer all questions without holding.

O'Connor, J., would also order briefing on questions 5, 6, and 7 and consolidate those questions with 2006-1914, *Groch v. Gen. Motors Corp.*

2007-0534. State v. Thompson.

Cuyahoga App. No. 86357, 2006-Ohio-1836. On motion for leave to file delayed appeal. Motion denied.

2007-0560. Stevenson v. ABM, Inc.

Medina App. No. 07CA0009-M. On motion for stay of court of appeals' judgment. Motion granted.

Pfeifer, J., dissents.

2007-0568. State v. Morrison.

Cuyahoga App. No. 86967, 2006-Ohio-3352. On motion for leave to file delayed appeal. Motion denied.

Pfeifer, J., dissents.

2007-0592. State v. Henley.

Cuyahoga App. No. 86591, 2006-Ohio-2728. On motion for leave to file delayed appeal. Motion denied.

Pfeifer and Cupp, JJ., dissent.

2007-0600. Breary v. Grafton.

Lorain App. No. 07CA009087. On motion for stay of court of appeals' judgment. Motion granted.

Pfeifer, J., dissents.

2007-0606. Hill v. Jeffreys.

In Habeas Corpus. On petition for writ of habeas corpus of Tyrone Hill.

It is ordered by the court, sua sponte, that the writ is allowed. Allowing the writ means only that a return is ordered.

It is further ordered that respondent shall file a return of writ within twenty days of service of the petition, and petitioner may file a response within ten days after the return is filed. Respondent shall provide a copy of the return to the petitioner on the same date that the return is filed. Petitioner's physical presence before the court is not required.

Lundberg Stratton, O'Connor and Cupp, JJ., dissent and would dismiss the cause.

2007-0614. State v. Azbill.

Lake App. No. 2005-L-153, 2006-Ohio-6886. On motion for leave to file delayed appeal. Motion denied.

Pfeifer and Cupp, JJ., dissent.

O'Connor, J., not participating.

2007-0686. J.L. v. M.M.

Wood App. Nos. WD-06-040 and WD-06-051, 2007-Ohio-1042. On motion for stay of court of appeals' judgment. Motion denied.

Lanzinger, J., dissents.

APPEALS ACCEPTED FOR REVIEW

2006-2148. State v. Warren.

Cuyahoga App. No. 86854, 168 Ohio App.3d 288, 2006-Ohio-4104, and 2007-Ohio-69. Discretionary appeal accepted on Proposition of Law No. V.

Pfeiffer, J., would also accept the appeal on all other Propositions of Law.

O'Donnell and Cupp, JJ., dissent.

2007-0220. State v. Taylor.

Miami App. No. 2005 CA 44, 2006-Ohio-6813. Discretionary appeal accepted on Proposition of Law Nos. I and III; cause held for the decision in 2006-0105 and 2006-0216, *State v. Tooley*, Portage App. No. 2004-P-0064, 2005-Ohio-6709; and briefing schedule stayed.

Pfeifer and Lundberg Stratton, JJ., would also accept the appeal on all other Propositions of Law.

Moyer, C.J., O'Connor and Cupp, JJ., dissent.

2007-0229. In re Sturm.

Washington App. No. 05CA35, 2006-Ohio-7101. Discretionary appeal accepted on Proposition of Law No. I; cause held for the decision in 2007-0291 and 2007-0472, *State v. D.H.*, Franklin App. No. 06AP-250, 2006-Ohio-6953; and briefing schedule stayed.

Moyer, C.J., would also accept the appeal on Proposition of Law No. II.

Lundberg Stratton, J., would also accept the appeal on all other Propositions of Law.

Pfeifer, O'Donnell and Cupp, JJ., dissent.

2007-0236. Staley v. AC&S, Inc.

Butler App. No. CA2006-06-133, 2006-Ohio-7033. Discretionary appeal accepted; cause held for the decision in 2007-0219 and 2007-0415, *Ackison v. Anchor Packing Co.*, Lawrence App. No. 05CA46, 2006-Ohio-7099; and briefing schedule stayed. Motion for admission pro hac vice of Vincent L. Greene by John J. McConnell Jr. granted.

2007-0265. State v. Fulmer.

Lake App. No. 2005-L-137, 2006-Ohio-7015.

Pfeifer, J., dissents.

2007-0266. Rogers v. Akron City School Sys.

Summit App. No. 23416. Discretionary appeal accepted; cause held for the decision in 2006-1528 and 2006-1589, *Hubbell v. Xenia*, Greene App. No. 2005 CA 99, 2006-Ohio-3369; and briefing schedule stayed.

Pfeifer, J., dissents.

2007-0298. Law v. Lake Metroparks.

Lake App. No. 2006-L-072, 2006-Ohio-7010. Discretionary appeal accepted; cause held for the decision in 2006-1262, *Houck v. Bd. of Park Commrs., Huron Cty. Park Dist.*, Huron App. No. H-05-018, 2006-Ohio-2488; and briefing schedule stayed.

Pfeifer, J., dissents.

2007-0306. Rankin v. Cuyahoga Cty. Dept. of Children & Family Servs.

Cuyahoga App. No. 86620, 2006-Ohio-6759. Discretionary appeal accepted on Proposition of Law Nos. I and II.

Lundberg Stratton, J., would also accept the appeal on Proposition of Law No. III.

Pfeifer, O'Connor and Lanzinger, JJ., dissent.

2007-0328. Marc Glassman, Inc. v. Levin.

Cuyahoga App. No. 87766, 2006-Ohio-6591.

O'Donnell, J., dissents.

2007-0394. State v. Hairston.

Franklin App. No. 06AP-420, 2007-Ohio-143. Discretionary appeal accepted on Proposition of Law No. III.

Moyer, C.J., O'Connor and Cupp, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2007-0160. Flynn v. Bd. of Trustees of Green Twp.

Hamilton App. No. C-060178, 2006-Ohio-6622.

2007-0162. Brown v. Weidner.

Seneca App. No. 13-06-08, 2006-Ohio-6852.

Cupp, J., not participating.

2007-0170. Solon v. Mazala.

Cuyahoga App. No. 88729.

2007-0180. Wittstein v. Wittstein.

Madison App. No. CA2006-03-013, 2006-Ohio-6707.

2007-0182. State v. Drummond.

Mahoning App. No. 05 MA 197, 2006-Ohio-7078.

2007-0183. Spidel v. Ross.

Ashland App. No. 2005-COA-054, 2006-Ohio-6718.

2007-0194. State v. Almonte.

Portage App. No. 2005-P-0093, 2006-Ohio-6688.

2007-0198. State v. Warren.

Cuyahoga App. No. 87726, 2006-Ohio-6415.

2007-0199. State v. Howard.

Cuyahoga App. No. 87459, 2006-Ohio-6410.

2007-0203. State v. McLeod.

Jefferson App. No. 05 JE 15, 2006-Ohio-7076.

2007-0204. State v. Wright.

Washington App. No. 06CA18, 2006-Ohio-7100.

2007-0213. Winthrow v. Marc Glassman, Inc.

Summit App. No. 23308, 2006-Ohio-6478.

2007-0214. State v. Russ.

Hamilton App. No. C-050797, 2006-Ohio-6824.

2007-0216. State v. Ahmed.

Belmont App. No. 05-BE-15, 2006-Ohio-7069.

2007-0218. Erie Ins. v. Williams.

Summit App. No. 23157, 2006-Ohio-6754.

O'Donnell, J., dissents and would accept the appeal on Proposition of Law No. I.

2007-0223. State v. Perry.

Franklin App. Nos. 06AP-333 and 06AP-334, 2006-Ohio-6735.

2007-0226. Dunkelman v. Cincinnati Bengals.

Hamilton App. No. C-050814, 2006-Ohio-6825.

Moyer, C.J., dissents.

2007-0227. State v. Kelley.

Franklin App. No. 06AP-155, 2006-Ohio-6782.

2007-0228. State v. Fulton.

Erie App. No. E-05-027, 2006-Ohio-6807.

2007-0231. Montecalvo v. Am. Family Ins. Co.

Trumbull App. No. 2006-T-0074, 2006-Ohio-6881.

Pfeifer, J., dissents.

2007-0233. State v. Black.

Richland App. No. 06 CA 104.

2007-0235. State ex rel. Dellagnese v. Bath-Akron-Fairlawn Joint Economic Dev. Dist.

Summit App. No. 23196, 2006-Ohio-6904.

Pfeifer, J., dissents.

O'Connor, J., dissents and would accept the appeal on Proposition of Law No. I.

2007-0239. State v. Mejia.

Hamilton App. No. C-060166.

2007-0241. State v. Elswick.

Lake App. No. 2006-L-075, 2006-Ohio-7011.

O'Donnell, J., dissents and would accept the appeal on Proposition of Law No. IV.

2007-0242. Welch v. Welch.

Lake App. No. 2005-L-132, 2006-Ohio-6861.

2007-0243. Prexta v. BW-3 Akron, Inc.

Summit App. No. 23314, 2006-Ohio-6969.

2007-0245. State v. Leugers.

Allen App. No. 10-5-90, 2006-Ohio-6928.

Cupp, J., not participating.

2007-0246. State v. Leasure.

Lucas App. No. L-05-1260, 2007-Ohio-100.

2007-0247. Thompson v. McVey.

Clinton App. Nos. CA2006-03-006 and CA2006-03-009, 2006-Ohio-7036.

2007-0250. State v. Griffith.

Franklin App. No. 05AP-1042, 2006-Ohio-6983.

2007-0251. State v. Albert.

Franklin App. No. 06AP-439, 2006-Ohio-6902.

2007-0252. Barhorst, Inc. v. Hanson Pipe & Prods. Ohio, Inc.

Shelby App. No. 17-06-06, 2006-Ohio-6858.

Cupp, J., not participating.

2007-0253. State v. Gibson.

Franklin App. No. 06AP-509, 2006-Ohio-6899.

O'Donnell, J., dissents.

2007-0255. Havel v. Chapek.

Geauga App. No. 2004-G-2609, 2006-Ohio-7014.

Lundberg Stratton and O'Connor, JJ., dissent and would accept the discretionary appeal of Grange Mutual Casualty Company.

2007-0256. Luther v. Estate of Skrinjar.

Columbiana App. No. 05 CO 65, 2006-Ohio-7117.

2007-0258. Adams v. Gables at Green Pastures Nursing Home.

Union App. No. 14-06-33, 2006-Ohio-6856.

Cupp, J., not participating.

2007-0259. State v. Withers.

Franklin App. Nos. 06AP-302 and 06AP-303, 2006-Ohio-6989.

Lundberg Stratton and Lanzinger, JJ., dissent.

2007-0262. Rogers v. Goodyear Tire & Rubber Co.

Union App. No. 14-05-34, 2006-Ohio-6854.

Cupp, J., not participating.

2007-0263. Manigault v. O'Connor Automotive.

Cuyahoga App. No. 87891, 2006-Ohio-6598.

2007-0267. Hager v. Norfolk & W. Ry. Co.

Cuyahoga App. No. 87553, 2006-Ohio-6580. Discretionary appeal not accepted. Motion for admission pro hac vice of Michael L. Torcello by Michael H. Doran granted.

2007-0269. In re Clowtis.

Lake App. Nos. 2006-L-042 and 2006-L-043, 2006-Ohio-6868.

2007-0273. State v. Fitzgerald.

Cuyahoga App. No. 86443, 2006-Ohio-6575.

Lundberg Stratton, J., dissents and would accept the appeal and hold the cause for the decision in 2007-0052, *State v. Simkins*, Cuyahoga App. No. 87692, 2006-Ohio-6028.

Cupp, J., dissents and would accept the appeal on Proposition of Law Nos. I and II.

2007-0279. State v. Marcum.

Columbiana App. No. 04 CO 66, 2006-Ohio-7068.

2007-0280. Carter v. Bernard.

Mahoning App. No. 06 MA 54, 2006-Ohio-7058.

Lundberg Stratton, J., dissents.

2007-0281. Thompson v. Eroglu.

Mahoning App. No. 05 MA 40, 2006-Ohio-7060.

Pfeifer, J., dissents.

2007-0283. In re Jaric.

Mahoning App. No. 04 MA 142, 2006-Ohio-7066.

Lundberg Stratton, J., dissents and would accept the appeal on Proposition of Law Nos. I and II.

2007-0286. Columbia Gas of Ohio, Inc. v. R.S.V. Inc.

Jefferson App. No. 05-JE-29, 2006-Ohio-7064.

2007-0292. Neighbors for Responsible Land Use v. Akron.

Summit App. No. 23191, 2006-Ohio-6966.

2007-0294. Cooper v. T & R Sunbury Ltd. Partnership.

Delaware App. No. 06-CAE-06-0037, 2006-Ohio-7020.

2007-0295. Kovacic v. Eastlake.

Lake App. No. 2005-L-205, 2006-Ohio-7016.

2007-0296. State v. Johnson.

Ottawa App. No. OT-05-053, 2006-Ohio-7004.

2007-0297. Spingola v. Sinclair Media, II, Inc.

Franklin App. No. 06AP-402, 2006-Ohio-6950. Discretionary appeal not accepted. Motion to strike portions of memorandum in response denied as moot.

2007-0300. State v. Palmerton.

Williams App. No. WM-06-007, 2006-Ohio-7006.

2007-0316. State v. Hertzell.

Cuyahoga App. No. 87864, 2006-Ohio-6770.

2007-0317. State v. Quartman.

Montgomery App. No. 21472, 2007-Ohio-329.

2007-0326. State v. Perkins.

Montgomery App. No. 21515, 2007-Ohio-136.

2007-0334. Apostolic Full Gospel Church of Mansfield Inc. v. Stair.

Richland App. No. 2005CA0113, 2007-Ohio-31.

2007-0335. State v. Hill.

Fairfield App. No. 2002-CA-00046, 2007-Ohio-56.

2007-0338. State v. Bell.

Cuyahoga App. No. 87769, 2006-Ohio-6592.

2007-0356. State v. Walsh.

Lucas App. No. L-05-1270, 2007-Ohio-103.

2007-0363. Way v. Ohio Dept. of Rehab. & Corr.

Franklin App. No. 06AP-657, 2007-Ohio-235.

2007-0373. State v. Pigot.

Franklin App. No. 06AP-343, 2007-Ohio-141.

2007-0397. State v. Warren.

Cuyahoga App. No. 86854, 168 Ohio App.3d 288, 2006-Ohio-4104, and 2007-Ohio-69.

Pfeifer, J., dissents.

2007-0398. McCord v. McCord.

Franklin App. Nos. 06AP-102 and 06AP-684, 2007-Ohio-164.

2007-0418. State v. Canady.

Hamilton App. No. C-060267, 2007-Ohio-313.

2007-0426. State v. Rogers.

Hamilton App. No. C-050805.

2007-0435. State v. Butler.

Hamilton App. No. C-050693.

2007-0496. State v. Carver.

Montgomery App. No. 21328, 2006-Ohio-5798.

RECONSIDERATION OF PRIOR DECISIONS

2005-1992. State ex rel. Cafaro Mgt. Co. v. Kielmeyer.

In Mandamus. Reported at 113 Ohio St.3d 1, 2007-Ohio-968, 862 N.E.2d 474. On motion for reconsideration. Motion denied.

2006-0503. In re C.F.

Cuyahoga App. No. 85716, 2006-Ohio-88. Reported at 113 Ohio St.3d 73, 2007-Ohio-1104, 862 N.E.2d 816. On motion for reconsideration. Motion denied.

Pfeifer, J., dissents.

Cupp, J., not participating.

2006-0896. Barth v. Barth.

Cuyahoga App. No. 86473, 2006-Ohio-1094. Reported at 113 Ohio St.3d 27, 2007-Ohio-973, 862 N.E.2d 496. On motions for reconsideration. Motions denied.

Pfeifer and O'Donnell, JJ., dissent.

Charles R. Petree, J., of the Tenth Appellate District, sitting for Cupp, J.

2006-2055. State v. Campbell.

Hamilton App. No. C-050933. Reported at 113 Ohio St.3d 1413, 2007-Ohio-1036, 862 N.E.2d 843. On motion for reconsideration. Motion denied.

2006-2082. In re Guardianship of Roper.

Summit App. No. 23403. Reported at 113 Ohio St.3d 1414, 2007-Ohio-1036, 862 N.E.2d 843. On motion for reconsideration. Motion denied.

2006-2102. State v. Lanier.

Franklin App. Nos. 06AP-589 and 06AP-590. Reported at 113 Ohio St.3d 1414, 2007-Ohio-1036, 862 N.E.2d 843. On motion for reconsideration. Motion denied.

Lundberg Stratton, J., dissents.

2006-2141. Cuyahoga Metro. Hous. Auth. v. Rhoades.

Cuyahoga App. No. 87441, 2006-Ohio-4896. Reported at 113 Ohio St.3d 1414, 2007-Ohio-1036, 862 N.E.2d 843. On motion for reconsideration. Motion denied.

2006-2176. Tisdale v. 2M Properties, Inc.

Cuyahoga App. No. 85851, 2005-Ohio-5447. Reported at 113 Ohio St.3d 1414, 2007-Ohio-1036, 862 N.E.2d 843. On motion for reconsideration. Motion denied.

2006-2179. Smith & Johnson Constr. Co. v. John K. Leohner Co., Inc.

Fairfield App. No. 06CA07, 2006-Ohio-5678. Reported at 113 Ohio St.3d 1414, 2007-Ohio-1036, 862 N.E.2d 843. On motion for reconsideration. Motion denied.

Moyer, C.J., Lundberg Stratton and O'Connor, JJ., dissent.

2006-2185. Fuchs v. Scripps Howard Broadcasting Co.

Hamilton App. No. C-050166, 2006-Ohio-5349. Reported at 113 Ohio St.3d 1414, 2007-Ohio-1036, 862 N.E.2d 843. On motion for reconsideration. Motion denied.

Moyer, C.J., Pfeifer and O'Donnell, JJ., dissent.

2006-2188. Griggs v. Bookwalter.

Montgomery App. No. 21220, 2006-Ohio-5392. Reported at 113 Ohio St.3d 1415, 2007-Ohio-1036, 862 N.E.2d 843. On motions for reconsideration and clarification. Motions denied.

2006-2190. Compliant Corp. v. Hutchins.

Cuyahoga App. No. 88877. Reported at 113 Ohio St.3d 1415, 2007-Ohio-1036, 862 N.E.2d 843. On motion for reconsideration. Motion denied.

2006-2217. State v. Kvasne.

Cuyahoga App. Nos. 86805 and 86915, 2006-Ohio-5235. Reported at 113 Ohio St.3d 1413, 2007-Ohio-1036, 862 N.E.2d 842. On motion for reconsideration of Proposition of Law Nos. I and II. Motion denied.

Lundberg Stratton and O'Connor, JJ., dissent.

2006-2248. Rogan v. Brown.

Clinton App. No. CA2005-10-025, 2006-Ohio-5508. Reported at 113 Ohio St.3d 1416, 2007-Ohio-1036, 862 N.E.2d 844. On motion for reconsideration. Motion denied.

Pfeifer and Lanzinger, JJ., dissent.