

**PREFERRED CAPITAL, INC., APPELLEE, v. AL & LOU BUILDERS
SUPPLY, INC. ET AL, APPELLANTS.**

**[Cite as *Preferred Capital, Inc. v. Al & Lou Builders Supply, Inc.*,
112 Ohio St.3d 504, 2007-Ohio-517.]**

*Floating forum-selection clause — Court of appeals’ judgment reversed on the
authority of Preferred Capital, Inc. v. Power Engineering Group, Inc., and
cause remanded to trial court to enter an order of dismissal.*

(No. 2006-0506 — Submitted January 24, 2007 — Decided February 21, 2007.)

APPEAL from the Court of Appeals for Summit County,

No. 22654, 2006-Ohio-250.

{¶ 1} The judgment of the court of appeals is reversed on the authority of
Preferred Capital, Inc. v. Power Engineering Group, Inc., 112 Ohio St.3d 429,
2007-Ohio-257, 860 N.E.2d 741, and the cause is remanded to the trial court with
instructions to enter an order of dismissal for lack of personal jurisdiction.

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

LUNDBERG STRATTON and LANZINGER, JJ., dissent.

CUPP, J., not participating.

LUNDBERG STRATTON, J., dissenting.

{¶ 2} I respectfully dissent based on the reasoning set forth in my
dissenting opinion in *Preferred Capital, Inc. v. Power Engineering Group, Inc.*,
112 Ohio St.3d 429, 2007-Ohio-257, 860 N.E.2d 741.

Roderick Linton, L.L.P., Jason E. Hickman, and Tamara A. O’Brien, for
appellee.

SUPREME COURT OF OHIO

Fanger Law Office, L.L.C., Jeffrey J. Fanger, and Kelly G. Adelman, for
appellants.
