

**GASPAR v. GUENTHER ET AL.; CITY OF SHEFFIELD LAKE ET AL., APPELLANTS;
McCULLOUGH, APPELLEE.**

[Cite as *Gaspar v. Guenther*, 122 Ohio St.3d 34, 2009-Ohio-2363.]

*Judgment of the court of appeals affirmed on the authority of. Gen. Acc. Ins. Co.
v. Ins. Co. of N. Am.*

(No. 2008-1869 — Submitted May 19, 2009 — Decided May 27, 2009.)

APPEAL from the Court of Appeals for Lorain County, No. 08CA009390.

{¶ 1} This cause was held for the decision in *Walburn v. Dunlap*, 121 Ohio St.3d 373, 2009-Ohio-1221, 904 N.E.2d 863.

{¶ 2} Because the court of appeals properly applied *Gen. Acc. Ins. Co. v. Ins. Co. of N. Am.* (1989), 44 Ohio St.3d 17, 540 N.E.2d 266, the judgment of the court of appeals is affirmed.

MOYER, C.J., and PFEIFER, LUNDBERG STRATTON, O’CONNOR,
O’DONNELL, LANZINGER, and CUPP, JJ., concur.

Mansour, Gavin, Gerlack & Manos Co., L.P.A., and John F. Burke III, for
appellee.

Weston Hurd, L.L.P., and Shawn W. Maestle, for appellants.
