

**KIRCHNER, ADMR., APPELLANT, v. SHOOTERS ON THE WATER, INC. ET AL.,
APPELLEES.**

**[Cite as *Kirchner v. Shooters on the Water, Inc.*,
122 Ohio St.3d 348, 2009-Ohio-3714.]**

*Court of appeals' judgment affirmed on the authority of Lang v. Holly Hill Motel,
Inc.*

(No. 2006-1682 — Submitted June 16, 2009 — Decided August 4, 2009.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 86919,
167 Ohio App.3d 708, 2006-Ohio-3583.

{¶ 1} The judgment of the court of appeals is affirmed on the authority
of *Lang v. Holly Hill Motel, Inc.*, 122 Ohio St.3d 120, 2009-Ohio-2495, 909
N.E.2d 120.

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

PFEIFER, J., dissents for the reasons stated in his dissenting opinion in
Lang v. Holly Hill Motel, Inc.

Paul W. Flowers Co., L.P.A., and Paul W. Flowers; and Law Offices of
Frank Gallucci and Leon M. Plevin, for appellant.

Valore & Cruse Co., L.P.A., Jeffrey M. Elzeer, and Kathryn A. Kerka; and
Taft, Stettinius & Hollister, L.L.P., and Mark J. Valponi, for appellees Shooters
on the Water, Inc., and Roger Loecy.

Davis & Young and George W. Lutjen, for appellees Michael Miller,
Judith Miller, and Gabrielle Miller.

Dennis R. Spirgen, for appellee Sugar Warehouse Limited Partnership.
