

PRESLEY, ADMR., APPELLEE, v. FRALEY, APPELLANT.

[Cite as *Presley v. Fraley*, 123 Ohio St.3d 238, 2009-Ohio-5255.]

Discretionary appeal accepted, and judgment of the court of appeals reversed on the authority of Eppley v. Tri-Valley Local School Dist. Bd. of Edn.

(No. 2009-0608 — Submitted September 1, 2009 — Decided October 6, 2009.)

APPEAL from the Court of Appeals for Franklin County, No. 08AP-767,
2009-Ohio-1558.

{¶ 1} The discretionary appeal is accepted.

{¶ 2} The judgment of the court of appeals is reversed on the authority of *Eppley v. Tri-Valley Local School Dist. Bd. of Edn.*, 122 Ohio St.3d 56, 2009-Ohio-1970, 908 N.E.2d 401.

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

PFEIFER, J., dissents.

Jones Day, Shawn J. Organ, Matthew C. Corcoran, and Zachary C.
Bolitho, for appellant.
