

**KOENIG ET AL., APPELLEES, v. DUNGEY, DIR., ET AL., APPELLANTS.**

**[Cite as *Koenig v. Dungey*, 144 Ohio St.3d 247, 2015-Ohio-4538.]**

*Medicaid—Court of appeals’ judgment reversed and cause remanded on the authority of Estate of Atkinson v. Ohio Dept. of Job & Family Servs.*

(No. 2015-0034—Submitted September 2, 2015—Decided November 4, 2015.)

APPEAL from the Court of Appeals for Hamilton County, No. C-140111,  
2014-Ohio-4646.

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{¶ 1} The judgment of the court of appeals is reversed, and the cause is remanded to the trial court for further proceedings in light of *Estate of Atkinson v. Ohio Dept. of Job & Family Servs.*, 144 Ohio St.3d 70, 2015-Ohio-3397, 40 N.E.3d 1121.

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

LANZINGER and O’NEILL, JJ., dissent.

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Beckman Weil Shepardson, L.L.C., Janet E. Pecquet, and Ashley Shannon  
Burke, for appellees.

Mike DeWine, Attorney General, Eric E. Murphy, State Solicitor, Michael  
J. Hendershot, Chief Deputy Solicitor, Stephen P. Carney, Deputy Solicitor, and  
Rebecca L. Thomas and Jeffery Jarosch, Assistant Attorneys General, for  
appellants.

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