

[Cite as *Tribett v. Shepherd*, 150 Ohio St.3d 346, 2016-Ohio-5821.]

TRIBETT, APPELLEE, v. SHEPHERD ET AL., APPELLANTS.

[Cite as *Tribett v. Shepherd*, 150 Ohio St.3d 346, 2016-Ohio-5821.]

Court of appeals' judgment reversed on the authority of Corban v. Chesapeake Exploration, L.L.C.

(No. 2014-1966—Submitted August 16, 2016—Decided September 15, 2016.)

APPEAL from the Court of Appeals for Belmont County,
No. 13 BE 32, 2014-Ohio-4320.

{¶ 1} The judgment of the court of appeals is reversed on the authority of *Corban v. Chesapeake Exploration, L.L.C.*, 149 Ohio St.3d 512, 2016-Ohio-5796, 76 N.E.3d 1089.

O'CONNOR, C.J., and O'DONNELL, LANZINGER, KENNEDY, and FRENCH, JJ.,
concur.

PFEIFER and O'NEILL, JJ., dissent.

Myser & Davies, Richard A. Myser, and Adam L. Myser, for appellee.

Bricker & Eckler, L.L.P., Matthew W. Warnock, Daniel E. Gerken, and
Daniel C. Gibson, for appellants.

Krugliak, Wilkins, Griffiths & Dougherty Co., L.P.A., Gregory W. Watts,
Matthew W. Onest, David E. Butz, and William G. Williams, urging affirmance for
amici curiae Jeffco Resources, Inc.; Richmond Mill, Inc.; Douglas Henderson;
Djuro and Vesna Kovacic; Brett and Kim Trissel; Carol Miller; Barbara L. Miller;
Jeffrey V. Miller; Jerilyn E. Christensen and Kjeld F. Christensen, Co-Trustees of
the Kjeld F. Christensen Revocable Trust dated September 25, 2012, and the Jerilyn
E. Christensen Revocable Trust dated September 25, 2012; Ralph and Sharley
Greer; Jeffrey Hickman; and Christopher and Veronica Wendt.

SUPREME COURT OF OHIO

Yoss Law Office and Ryan M. Regel, urging affirmance for amici curiae
David R. Stanley and Carolyn T. Stanley.

Michael DeWine, Attorney General, Eric E. Murphy, State Solicitor, and
Samuel C. Peterson, Deputy Solicitor, urging affirmance for amicus curiae state of
Ohio.
