

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Thompson v. Custer*, Slip Opinion No. 2016-Ohio-5823.]

NOTICE

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**SLIP OPINION NO. 2016-OHIO-5823**

**THOMPSON ET AL., APPELLANTS, v. CUSTER ET AL., APPELLEES.**

**[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Thompson v. Custer*, Slip Opinion No. 2016-Ohio-5823.]**

*Court of appeals' judgment reversed on the authority of Corban v. Chesapeake Exploration, L.L.C., and Walker v. Shondrick-Nau.*

(No. 2015-0195—Submitted August 31, 2016—Decided September 15, 2016.)

APPEAL from the Court of Appeals for Trumbull County,

No. 2014-T-0052, 2014-Ohio-5711.

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{¶ 1} The judgment of the court of appeals is reversed on the authority of *Corban v. Chesapeake Exploration, L.L.C.*, \_\_\_ Ohio St.3d \_\_\_, 2016-Ohio-5796, \_\_\_ N.E.3d \_\_\_, and *Walker v. Shondrick-Nau*, \_\_\_ Ohio St.3d \_\_\_, 2016-Ohio-5793, \_\_\_ N.E.3d \_\_\_.

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

PFEIFER and O'NEILL, JJ., dissent.

SUPREME COURT OF OHIO

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Guarnieri & Secrest, P.L.L., and Michael D. Rossi; and The Law Offices of Marty D. Nosich, L.L.C, and Marty D. Nosich, for appellants.

Krugliak, Wilkins, Griffiths & Dougherty Co., L.P.A., Gregory W. Watts, Matthew W. Onest, and William G. Williams, for appellees Nathan J. Custer, Noelle M. Custer, and BP America Production Company.

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