

**SCHULTHEISS, APPELLEE, v. HEINRICH ENTERPRISES, INC., ET AL.,
APPELLANTS.**

**[Cite as *Schultheiss v. Heinrich Ents., Inc.*, 150 Ohio St.3d 181,
2017-Ohio-2895.]**

Appeal dismissed as having been improvidently accepted.

(No. 2016-0623—Submitted May 2, 2017—Decided May 22, 2017.)

APPEAL from the Court of Appeals for Washington County,
No. 15CA20, 2016-Ohio-121.

{¶ 1} This cause is dismissed as having been improvidently accepted.
O'DONNELL, FRENCH, O'NEILL, FISCHER, and DEWINE, JJ., concur.
O'CONNOR, C.J., and KENNEDY, J., dissent.

Fields, Dehmlow & Vessels, L.L.C., and Ethan Vessels, for appellee.
Theisen Brock, L.P.A., James S. Huggins, and Daniel P. Corcoran, for
appellants.

Chad A. Endsley, Leah F. Curtis, and Amy Milam, urging affirmance for
amici curiae Ohio Farm Bureau Federation, Guernsey County Farm Bureau, and
Washington County Farm Bureau.

Vorys, Sater, Seymour & Pease, L.L.P., Gregory D. Russell, Peter A.
Lusenhop, Steven A. Chang, and Ilya Batikov, urging reversal for amici curiae
Ohio Oil and Gas Association, Southeastern Ohio Oil and Gas Association, Ascent
Resources-Utica, L.L.C., Buckeye Oil Producing Company, Eclipse Resources
Corporation, EnerVest Operating, L.L.C., Flat Rock Development, L.L.C., Hess
Ohio Developments, L.L.C., HG Energy, L.L.C., Northwood Energy Corporation,
Petrox, Inc., and Sound Energy Company, Inc.

SUPREME COURT OF OHIO

