

[Cite as *McCollam v. Am. & Foreign Ins. Co.*, 2003-Ohio-6459.]

Please see original opinions at *McCollam v. Am. & Foreign Ins. Co.*, 2003-Ohio-5769.

IN THE COURT OF APPEALS FOR STARK COUNTY, OHIO
FIFTH APPELLATE DISTRICT

PEGGY McCOLLAM, et al.	:	
	:	
Plaintiffs-Appellees	:	
	:	
-vs-	:	JUDGMENT ENTRY
	:	
AMERICAN & FOREIGN INS. CO., et al.	:	
	:	
Defendants-Appellants	:	CASE NO. 2003CA00068

{¶1} This matter is before the court upon Old Republic Insurance Company's Motion for Reconsideration. Old Republic requests reconsideration pursuant to the Ohio Supreme Court's recent decision in *Westfield Ins. Co. v. Galatis*, 100 Ohio St.3d 216, 2003-Ohio-5849.

{¶2} We grant Old Republic's motion pursuant to *Galatis*. We conclude Appellee Benedict is not an insured under the policy Old Republic issued to Detroit Diesel Corporation. Upon reconsideration, we sustain Old Republic's sole assignment of error.

{¶3} IT IS SO ORDERED.

JUDGES