

**RIMMER, APPELLEE, v. CITIFINANCIAL, INC., APPELLANT.**

[Cite as *Rimmer v. CitiFinancial, Inc.*, 123 Ohio St.3d 128, 2009-Ohio-4902.]

*Cause remanded to the court of appeals for further consideration of class certification.*

(No. 2008-1144 — Submitted July 14, 2009 — Decided September 22, 2009.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 89407,  
2008-Ohio-1814.

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{¶ 1} The cause is remanded to the court of appeals for further consideration of its findings for class certification in view of the holding in *Alexander v. Wells Fargo Financial Ohio I, Inc.*, 122 Ohio St.3d 341, 2009-Ohio-2962, 911 N.E.2d 286.

MOYER, C.J., and LUNDBERG STRATTON, O’CONNOR, O’DONNELL, LANZINGER, and CUPP, JJ., concur.

PFEIFER, J., would dismiss the appeal as having been improvidently accepted.

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Dworken & Bernstein Co., L.P.A., and Patrick J. Perotti; and Brian Ruschel, for appellee.

Thompson Hine, L.L.P., Kip T. Bollin, and James L. DeFeo, for appellant.

McLaughlin & McCaffrey, L.L.P., Patrick M. McLaughlin, and Adrienne B. Kirshner; and Ballard, Spahr, Andrews, & Ingersoll, L.L.P., Alan S. Kaplinsky, and Mark J. Levin, for amicus curiae, American Financial Services Association.

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