

[Cite as *Davis v. State Farm Mut. Auto. Ins. Co.*, 92 Ohio St.3d 212, 2001-Ohio-173.]

**DAVIS ET AL., APPELLEES, v. STATE FARM MUTUAL AUTOMOBILE INSURANCE  
COMPANY, APPELLANT.**

**[Cite as *Davis v. State Farm Mut. Auto. Ins. Co.* (2001), 92 Ohio St.3d 212.]**

*Insurance — Motor vehicles — Mandatory offering of uninsured and  
underinsured motorist coverage — Amount available for payment for  
purpose of setoff — Court of appeals’ judgment affirmed.*

(No. 00-1998 — Submitted May 16, 2001 — Decided July 5, 2001.)

APPEAL from the Court of Appeals for Franklin County, No. 99AP-194.

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The judgment of the court of appeals is affirmed consistent with the  
opinion of the court of appeals.

DOUGLAS, RESNICK, F.E. SWEENEY and PFEIFER, JJ., concur.

MOYER, C.J., COOK and LUNDBERG STRATTON, JJ., dissent.

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**COOK, J., dissenting.** I respectfully dissent based on the reasoning set  
forth in my dissenting opinion in *Littrell v. Wigglesworth* (2001), 91 Ohio St.3d  
425, 746 N.Ed.2d 1077, and in my opinion concurring in part and dissenting in  
part in *Clark v. Scarpelli* (2001), 91 Ohio St.3d 271, 744 N.E.2d 719.

MOYER, C.J., and LUNDBERG STRATTON, J., concur in the foregoing  
dissenting opinion.

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*Clark, Perdue, Roberts & Scott Co., L.P.A., Glen R. Pritchard and  
Douglas S. Roberts*, for appellees.

*Gallagher, Gams, Pryor, Tallan & Littrell L.L.P., James R. Gallagher and  
Amy Mass*, for appellant.

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