

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Schuster v. Durrani*, Slip Opinion No. 2020-Ohio-6944.]

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**SLIP OPINION NO. 2020-OHIO-6944**

**SCHUSTER, APPELLEE, v. DURRANI ET AL., APPELLANTS, ET AL.**

**[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Schuster v. Durrani*, Slip Opinion No. 2020-Ohio-6944.]**

*Court of appeals' judgment reversed on the authority of Wilson v. Durrani, and cause remanded.*

(No. 2020-1064—Submitted December 16, 2020—Decided December 31, 2020.)

APPEAL from the Court of Appeals for Hamilton County,

No. C-180687, 2020-Ohio-3789.

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{¶ 1} The judgment of the First District Court of Appeals is reversed on the authority of *Wilson v. Durrani*, \_\_ Ohio St.3d \_\_, 2020-Ohio-6827, \_\_ N.E.3d \_\_, and the cause is remanded to that court for it to consider appellee Ronald Schuster's arguments that it previously declined to address.

O'CONNOR, C.J., and KENNEDY, FRENCH, GWIN, and KLATT, JJ., concur.

STEWART, J., concurs based only on stare decisis.

SUPREME COURT OF OHIO

DONNELLY, J., dissents and would affirm the judgment of the court of appeals for the reasons set forth in Justice Stewart's dissenting opinion in *Wilson*.

W. SCOTT GWIN, J., of the Fifth District Court of Appeals, sitting for FISCHER, J.

WILLIAM A. KLATT, J., of the Tenth District Court of Appeals, sitting for DEWINE, J.

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Robert A. Winter Jr.; and The Deters Law Firm Co. II, P.A., James F. Maus, and Alex Petraglia, for appellee.

Taft Stettinius & Hollister, L.L.P., Aaron M. Herzig, Russell S. Sayre, Philip D. Williamson, and Anna M. Greve, for appellants, Abubakar Atiq Durrani, M.D., and Center for Advanced Spine Technologies, Inc.

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