

[Cite as *Cincinnati Ins. Co. v. Discount Drug Mart, Inc.*, 168 Ohio St.3d 437, 2022-Ohio-3714.]

**CINCINNATI INSURANCE COMPANY, APPELLANT, v. DISCOUNT DRUG MART,
INC., APPELLEE.**

[Cite as *Cincinnati Ins. Co. v. Discount Drug Mart, Inc.*, 168 Ohio St.3d 437,
2022-Ohio-3714.]

*Court of appeals' judgment vacated and cause remanded for application of Acuity
v. Masters Pharmaceutical, Inc.*

(No. 2022-0318—Submitted October 4, 2022—Decided October 20, 2022.)

APPEAL from the Court of Appeals for Cuyahoga County,

No. 110151, 2021-Ohio-4604.

{¶ 1} The judgment of the court of appeals is vacated, and the cause is remanded to that court for application of *Acuity v. Masters Pharmaceutical, Inc.*, ___ Ohio St.3d ___, 2022-Ohio-3092, ___ N.E.3d ___.

O'CONNOR, C.J., and KENNEDY, FISCHER, DEWINE, DONNELLY, STEWART, and BRUNNER, JJ., concur.

Collins, Roche, Utley & Garner, Richard M. Garner, and David L. Lester, for appellant.

Cavitch, Familo & Durkin Co., L.P.A., and Gregory E. O'Brien, for appellee.

Koehler Fitzgerald, L.L.C., and Timothy J. Fitzgerald, in support of appellant for amicus curiae Ohio Insurance Institute.

Reed Smith, L.L.P., and Justin H. Werner, in support of appellee for amicus curiae United Policyholders.
