

**DAVIS, INDIVIDUALLY AND AS EXR. OF THE ESTATE OF DAVIS, ET AL.,
APPELLEES, v. MERCY ST. VINCENT MEDICAL CENTER ET AL., APPELLANTS.**

**[Cite as *Davis v. Mercy St. Vincent Med. Ctr.*, 173 Ohio St.3d 572,
2023-Ohio-4723.]**

Court of appeals' judgment reversed on the authority of Everhart v. Coshocton Cty.

Mem. Hosp. and cause remanded.

(Nos. 2022-0460 and 2022-0658—Submitted December 20, 2023—Decided
December 28, 2023.)

APPEAL from and CERTIFIED by the Court of Appeals for Lucas County,
No. L-21-1095, 2022-Ohio-1266.

{¶ 1} The judgment of the Sixth District Court of Appeals is reversed on the authority of *Everhart v. Coshocton Cty. Mem. Hosp.*, __ Ohio St.3d __, 2023-Ohio-4670, __ N.E.3d __, and the cause is remanded to that court for it to consider appellees' arguments that it previously declined to address.

KENNEDY, C.J., and FISCHER, DEWINE, DONNELLY, STEWART, BRUNNER, and DETERS, JJ., concur.

Gary W. Osborne and Jack S. Leizerman, for appellees, Donald A. Davis and Dustin Davis.

Robison, Curphey & O'Connell, L.L.C., Julia Smith Wiley, and Kayla L. Henderson, for appellant Mercy St. Vincent Medical Center.

Reminger Co., L.P.A., Taylor C. Knight, and Erin Siebenhar Hess, for appellants Fayyaz H. Hashmi, M.D., Mercy Health North, L.L.C., f.k.a. Mercy Health System-Northern Region, and Mercy Medical Partners, Northern Region, L.L.C.

SUPREME COURT OF OHIO

