

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

1:00 P.M.

WEDNESDAY

May 24, 2000

MERIT DOCKET

98-1332. State ex rel. Complete Auto Transit, Inc. v. Ohio Bur. of Workers' Comp.

Franklin App. No. 97APD04-463. Judgment affirmed.

Moyer, C.J., Resnick, F.E. Sweeney and Cook, JJ., concur.

Douglas, Pfeifer and Lundberg Stratton, JJ., dissent.

98-2445. Stickney v. State Farm Mut. Auto. Ins. Co.

Richland App. No. 98CA7. Judgment vacated and cause remanded.

Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Douglas, J., concurs separately.

Moyer, C.J., Cook and Lundberg Stratton, JJ., dissent.

98-2600. State ex rel. Arigoni v. Conrad.

Franklin App. No. 97APD10-1414. Judgment affirmed.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

98-2690. State ex rel. Freiberg v. Kelly Serv., Inc.

Franklin App. No. 97APD11-1470. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Douglas, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

Resnick, J., not participating.

99-120. Campbell Soup Co. v. Tracy.

Board of Tax Appeals, No. 96-S-1246. Decision affirmed in part in reversed in part.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Cook and Lundberg Stratton, JJ., concur.

Pfeifer, J., dissents.

99-556. Baughman v. State Farm Mut. Auto. Ins. Co.

Summit App. No. 19087. Judgment reversed and cause remanded.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Cook and Lundberg Stratton, JJ., concur separately.

99-875. Kirby v. Pioneer Ins. Co.

Warren App. No. CA98-09-120. *Sua sponte*, cause dismissed as having been improvidently allowed.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

Douglas, J., dissents.

99-991. Klosterman Baking Co. v. Ohio Bur. of Emp. Serv.

Hamilton App. No. C-980255. Judgment reversed.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Cook and Lundberg Stratton, JJ., dissent.

99-1301 and 99-1323. Sikora v. Wenzel.

Greene App. No. 98CA130. Judgment reversed.

Moyer, C.J., F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

Resnick, J., concurs and concurs separately.

Douglas, J., not participating.

99-1576. Cleveland Bar Assn. v. Briggs.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 98-34. Beverly M. Briggs is suspended from the practice of law for one year, stayed, with probation and monitoring.

Douglas, Resnick, F.E. Sweeney, Pfeifer and Lundberg Stratton, JJ., concur.
Moyer, C.J., and Cook, JJ., dissent.

99-1591. State ex rel. Bridgestone/Firestone, Inc. v. Caldwell.

Franklin App. No. 98AP-971. Judgment affirmed consistent with the opinion of the court of appeals.

F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.
Moyer, C.J., Douglas and Resnick, JJ., dissent.

99-1673. State ex rel. Doolittle v. Indus. Comm.

Franklin App. No. 98AP-1069. Judgment reversed and cause returned.

Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.
Moyer, C.J., Cook and Lundberg Stratton, JJ., dissent.

99-1758. State ex rel. Tully v. Indus. Comm.

Franklin App. No. 98AP-1089. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Resnick, F.E. Sweeney, Cook and Lundberg Stratton, JJ., concur.

Douglas, J., dissents.

Pfeifer, J., dissents.

99-1811. State ex rel. Phares v. Indus. Comm.

Franklin App. No. 98AP-1167. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Douglas, Resnick, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

F.E. Sweeney, J., dissents.

99-1851. State ex rel. Cuevas v. Indus. Comm.

Franklin App. No. 94AP-275. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

Douglas, J., dissents.

99-1901. State ex rel. Alston v. Indus. Comm.

Franklin App. No. 98AP-1325. Judgment reversed and cause returned.

Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Moyer, C.J., Cook and Lundberg Stratton, JJ., dissent.

99-2155. Moroney v. Annis.

Richland App. No. 99CA27. Judgment vacated and cause remanded.

Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Douglas, J., concurs separately.

Moyer, C.J., Cook and Lundberg Stratton, JJ., dissent.

99-2238. Dayton Bar Assn. v. Kinney.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 98-79. Winfield E. Kinney III is suspended from the practice of law for six months, stayed.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

99-2244. Stephenson v. Grange Mut. Cas. Co.

Franklin App. No. 98APE12-1596. *Sua sponte*, cause dismissed as having been improvidently allowed.

Moyer, C.J., F.E. Sweeney, Cook and Lundberg Stratton, JJ., concur.

Douglas, Resnick and Pfeifer, JJ., dissent.

99-2258. Izev v. Nationwide Mut. Ins. Co.

Medina App. No. 2965-M. Judgment vacated and cause remanded.

Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Douglas, J., concurs separately.

Moyer, C.J., Cook and Lundberg Stratton, JJ., dissent.

99-2260. Powers v. Nationwide Mut. Fire Ins. Co.

Mahoning App. No. 97CA219. Judgment vacated and cause remanded.

Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Douglas, J., concurs separately.

Moyer, C.J., Cook and Lundberg Stratton, JJ., dissent.

99-2263. Dayton Bar Assn. v. Susco.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 98-12. Michael E. Susco is publicly reprimanded.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

99-2264. Disciplinary Counsel v. Cook.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 99-22. Gary Cook is suspended from the practice of law for six months with credit for time served.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

99-2265. Lorain Cty. Bar Assn. v. Fernandez.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 99-09. Yolanda Fernandez is indefinitely suspended from the practice of law.

Douglas, Resnick, F.E. Sweeney, Pfeifer and Lundberg Stratton, JJ., concur.

Moyer, C.J., and Cook, J., dissent.

99-2310. Gild v. State Farm Mut. Auto. Ins. Co.

Portage App. No. 98-P-0056. Judgment vacated and cause remanded.

Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Douglas, J., concurs separately.

Moyer, C.J., Cook and Lundberg Stratton, JJ., dissent.