

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Reywal Co. Ltd. Partnership v. Dublin*, Slip Opinion No. 2010-Ohio-5949.]

NOTICE

This slip opinion is subject to formal revision before it is published in an advance sheet of the Ohio Official Reports. Readers are requested to promptly notify the Reporter of Decisions, Supreme Court of Ohio, 65 South Front Street, Columbus, Ohio 43215, of any typographical or other formal errors in the opinion, in order that corrections may be made before the opinion is published.

**SLIP OPINION NO. 2010-OHIO-5949**

**REYWAL CO. LIMITED PARTNERSHIP ET AL., APPELLEES, v. CITY  
OF DUBLIN, APPELLANT.**

**[Until this opinion appears in the Ohio Official Reports advance sheets, it  
may be cited as *Reywal Co. Ltd. Partnership v. Dublin*,  
Slip Opinion No. 2010-Ohio-5949.]**

*Discretionary appeal accepted on Proposition of Law No. I, judgment of the court  
of appeals affirmed in judgment only on the authority of Campbell v.  
Carlisle, and cause remanded to the trial court for application of  
Campbell v. Carlisle.*

(No. 2010-1435 — Submitted November 16, 2010 — Decided  
December 9, 2010.)

APPEAL from the Court of Appeals for Franklin County, No. 09AP-522,  
188 Ohio App.3d 1, 2010-Ohio-3013.

---

{¶ 1} The discretionary appeal is accepted on Proposition of Law No. I.

{¶ 2} The judgment of the court of appeals is affirmed in judgment only  
on the authority of *Campbell v. Carlisle*, \_\_\_ Ohio St.3d \_\_\_, 2010-Ohio-5707,

SUPREME COURT OF OHIO

\_\_\_ N.E.2d \_\_\_, and the cause is remanded to the trial court for application of *Campbell v. Carlisle*.

LUNDBERG STRATTON, O'CONNOR, O'DONNELL, and LANZINGER, JJ., concur.

BROWN, C.J., and PFEIFER and CUPP, JJ., dissent and would not accept the discretionary appeal.

---

Vorys, Sater, Seymour and Pease, L.L.P., Bruce L. Ingram, Joseph R. Miller, and John M. Kuhl, for appellees.

Schottenstein, Zox & Dunn, L.P.A., Alan G. Starkoff, and Jeremy M. Grayem, for appellant.

---