

OPINIONS OF THE SUPREME COURT OF OHIO

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Turk et al., Appellants, v. Trolley Tours of Cleveland, Inc., dba Lolly The Trolley, et al., Appellees.

[Cite as Turk v. Trolley Tours of Cleveland, Inc. (1994), Ohio St.3d .]

Torts -- Damages -- Collateral benefits -- R.C. 2317.45

violates Sections 2, 5 and 16, Article I of the Ohio Constitution, and is unconstitutional in toto.

(No. 93-2019 -- Submitted January 12, 1994 -- Decided June 1, 1994.)

Appeal from the Court of Appeals for Cuyahoga County, Nos. 62964 and 63087.

Spangenberg, Shibley, Traci, Lancione & Liber, Donald P. Traci and James A. Marx, for appellants.

Richard R. Kuepper, for appellee Trolley Tours of Cleveland, Inc.

Arter & Hadden, Irene C. Keyse-Walker, James A. Laurenson and Kathleen G. Dus, for appellee Dallas & Mavis Forwarding Company.

The judgment is reversed as to Propositions of Law I and II and the cause is remanded to the trial court on authority of Sorrell v. Thevenir (1994), Ohio St.3d , N.E.2d , decided today.

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

Moyer, C.J., and Wright, J., dissent.