

BESHARA, EXR., APPELLANT, v. SCHINDLER; ATD CORPORATION, APPELLEE.

[Cite as *Beshara v. Schindler* (1995), \_\_\_ Ohio St.3d \_\_\_\_.]

*Appeal dismissed as improvidently allowed.*

(No. 94-1424 — Submitted October 10, 1995 — Decided November 22,  
1995.)

APPEAL from the Court of Appeals for Summit County, No. 16507.

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*McCarthy, Palmer, Volkema, Boyd & Thomas* and *Daniel R. Volkema*, for  
appellant.

*Davis & Young Co., L.P.A., Gregory H. Collins* and *Martin J. Murphy*, for  
appellee.

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The appeal is dismissed, *sua sponte*, as having been improvidently allowed.

MOYER, C.J., DOUGLAS, WRIGHT, RESNICK, F.E. SWEENEY and BOWMAN,  
JJ., concur.

PFEIFER, J., dissents and would affirm the judgment of the court of appeals.

DONNA BOWMAN, J., of the Tenth Appellate District, sitting for COOK, J.