

1 Gates, Appellant, v. Precision Post Company; Black Brothers Company et  
2 al., Appellees.

3 [Cite as *Gates v. Precision Post Co.* (1996), \_\_\_ Ohio St.3d \_\_\_\_.]

4 *Civil actions -- Products liability -- Causes of action brought pursuant to*  
5 *R.C. 2307.71 et seq. governed by two-year statute of limitations*  
6 *provided in R.C. 2305.10.*

7 (No. 94-2093 -- Submitted January 10, 1996 -- Decided February 7,  
8 1996.)

9 CERTIFIED by the Court of Appeals for Marion County, No. 9-94-21.

10

---

11 *Hofelich & King and John F. King, for appellant.*

12 *Jones & Bahret Co., L.P.A., Willis P. Jones, Jr. and Peter C. Munger,*

13 *for appellees.*

14

---

15 The cause is before this court upon the certification of the court of  
16 appeals that its judgment conflicted with the judgment of the Court of  
17 Appeals for Cuyahoga County in *McAuliffe v. W. States Import Co., Inc.*  
18 (Dec. 16, 1993), Cuyahoga App. No. 65297, unreported, 1993 WL 527880,

1 and with the judgment of the Court of Appeals for Monroe County in *Byers*  
2 *v. Consol. Aluminum Corp.* (Apr. 12, 1994), Monroe App. No. 716,  
3 unreported, 1994 WL 149880, upon the following question:

4 “[W]hether the six year statute of limitations set forth in R.C. 2305.07  
5 or the two-year statute of limitations set forth in R.C. 2305.10 governs  
6 personal injury claims arising from products liability statutes set forth in  
7 R.C. 2307.71 *et seq.*”

8 This court states that the two-year statute of limitations set forth in  
9 R.C. 2305.10 governs personal injury claims arising from products liability  
10 statutes set forth in R.C. 2307.71 *et seq.*, and affirms the judgment of the  
11 court of appeals on the authority of *McAuliffe v. W. States Import Co., Inc.*  
12 (1995), 72 Ohio St.3d 534, 651 N.E.2d 957.

13 MOYER, C.J., WRIGHT, RESNICK, PFEIFER and COOK, JJ., concur.

14 DOUGLAS and F.E. SWEENEY, JJ., dissent.

15

16

17