

COLLINS ET AL., APPELLANTS, v. DOWN RIVER SPECIALTIES, INC. ET AL., APPELLEES.

[Cite as *Collins v. Down River Specialties, Inc.* (1999), \_\_\_ Ohio St.3d \_\_\_\_.]

*Appeal dismissed as improvidently allowed.*

(Nos. 98-1099 and 98-1107 — Submitted April 13, 1999 — Decided May 26,  
1999.)

APPEALS from the Court of Appeals for Cuyahoga County, Nos. 70840 and 70842.

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*McLaughlin & McCaffrey, L.L.P., Patrick M. McLaughlin and John F. McCaffrey*, for appellant Gertrude Collins.

*Jeffries, Kube, Forrest & Monteleone Co., L.P.A., and David A. Forrest*, for appellant Kenneth Wilkerson.

*Stanley S. Keller and Brian D. Spitz*, for appellees.

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

MOYER, C.J., DOUGLAS, RESNICK, PFEIFER, COOK and LUNDBERG STRATTON,  
JJ., concur.

F.E. SWEENEY, J., dissents and would reverse the judgment of the court of appeals.