

[Cite as *O'Sullivan v. Provident Bancorp, Inc.* (1999), ___ Ohio St.3d ___, 1999-Ohio-426.]

O'SULLIVAN, APPELLANT, v. PROVIDENT BANCORP, INC. ET AL., APPELLEES.

[Cite as *O'Sullivan v. Provident Bancorp, Inc.* (1999), ___ Ohio St.3d ___.]

Appeal dismissed as improvidently allowed.

(No. 98-235 — Submitted January 26, 1999 — Decided March 3, 1999.)

APPEAL from the Court of Appeals for Hamilton County, No. C-970141.

Manley, Burke, Lipton & Cook, Robert E. Manley and Robert H. Mitchell,
for appellant.

Keating, Muething & Klekamp, P.L.L., James E. Burke, Daniel E. Izenon
and *Douglas L. Hensley*, for appellees.

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

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER and LUNDBERG
STRATTON, JJ., concur.

COOK, J., dissents.

COOK, J., dissenting. I would affirm the judgment of the court of appeals.