

SAMMARCO ET AL., APPELLANTS, v. ANTHEM INSURANCE COMPANIES, INC. ET AL.,

APPELLEES.

[Cite as *Sammarco v. Anthem Ins. Cos., Inc.* (1999), 87 Ohio St.3d 1227.]

*Appeal dismissed as improvidently allowed.*

(No. 98-2718 – Submitted November 2, 1999 – Decided December 8, 1999.)

APPEAL from the Court of Appeals for Hamilton County, No. C-971074.

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*Waite, Schneider, Bayless & Chesley Co., L.P.A., Stanley M. Chesley and Janet G. Abaray*, for appellants.

*Thompson, Hine & Flory, L.L.P., Earl Jay Maiman and Robert P. Johnson*, for appellees.

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

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

DOUGLAS and RESNICK, JJ., dissent.

F.E. SWEENEY, J., dissents and would reverse.