

[Cite as *Leisure v. State Farm Mut. Auto. Ins. Co.*, 89 Ohio St.3d 523, 2000-Ohio-229.]

LEISURE, ADMR., ET AL., APPELLANTS AND CROSS-APPELLEES, v. STATE FARM
MUTUAL AUTOMOBILE INSURANCE COMPANY; FARMERS INSURANCE OF
COLUMBUS, INC., APPELLEE AND CROSS-APPELLANT.

LEISURE, ADMR., ET AL., APPELLANTS AND CROSS-APPELLEES, v. STATE FARM
MUTUAL AUTOMOBILE INSURANCE COMPANY, APPELLEE AND CROSS-
APPELLANT, ET AL.

[Cite as *Leisure v. State Farm Mut. Auto. Ins. Co.* (2000), 89 Ohio St.3d 523.]

*On motion for reconsideration and clarification — Motion granted as reflected in
this entry.*

(Nos. 98-2110 and 98-2481 — July 25, 2000 — Decided September 6, 2000.)

APPEAL and CROSS-APPEAL from the Court of Appeals for Stark County, Nos.
1997CA00417 and 1998CA00001.

APPEAL and CROSS-APPEAL from the Court of Appeals for Stark County, Nos.
1997CA00420 and 1997CA00445.

ON RECONSIDERATION AND CLARIFICATION.

*The Okey Law Firm, L.P.A., Steven P. Okey and Scott A. Washam, for
appellants and cross-appellees.*

Gallagher, Sharp, Fulton & Norman, D. John Travis and Gary L. Nicholson,
for appellee and cross-appellant Farmers Insurance of Columbus, Inc.

Davis & Young and Henry A. Hentemann, for appellee and cross-appellant
State Farm Mutual Automobile Insurance Company.

Betty D. Montgomery, Attorney General, and *Sharon A. Jennings,* Assistant
Attorney General, urging affirmance for *amicus curiae* Ohio Attorney General, in
case No. 98-2110.

On June 7, 2000, this court made the following entry in this case:

“The court hereby, *sua sponte*, consolidates these two cases for disposition.

“The judgments of the court of appeals are affirmed to the extent they
vacated the default judgments. The causes are remanded to the trial court with
instructions to permit plaintiffs to serve the Attorney General in accordance with
R.C. 2721.12 and *Cicco v. Stockmaster* (2000), 89 Ohio St.3d 95, 728 N.E.2d
1066.” See 89 Ohio St.3d 110, 728 N.E.2d 1078.

The court hereby, *sua sponte*, consolidates these two cases for disposition.
The motion for reconsideration and clarification is granted.

The judgments of the court of appeals are affirmed to the extent they vacated
the default judgments. The causes are remanded to the trial court with instructions
to permit plaintiffs to rectify their failure to timely and properly serve the Attorney

General by serving the Attorney General in accordance with R.C. 2721.12 and *Cicco v. Stockmaster* (2000), 89 Ohio St.3d 95, 728 N.E.2d 1066, and to permit defendants to file separate answers. The remainder of the judgments of the court of appeals will then be rendered moot.

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