

[Cite as *McGowan v. Family Medicine, Inc.*, 100 Ohio St.3d 1204, 2003-Ohio-5271.]

**MCGOWAN, ADMR., APPELLANT, v. FAMILY MEDICINE, INC. ET AL.,  
APPELLEES.**

[Cite as *McGowan v. Family Medicine, Inc.*, 100 Ohio St.3d 1204, 2003-Ohio-  
5271.]

*Appeal dismissed as improvidently allowed.*

(No. 2002-1620 — Submitted September 16, 2003 — Decided October 22, 2003.)

APPEAL from the Court of Appeals for Stark County, No. 2001CA00385, 2002-  
Ohio-4071.

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{¶1} The cause is dismissed, sua sponte, as having been improvidently  
allowed.

MOYER, C.J., BOWMAN, F.E. SWEENEY, LUNDBERG STRATTON, O’CONNOR  
and O’DONNELL, JJ., concur.

PFEIFER, J., dissents and would reverse on the wrongful-death claim.

DONNA BOWMAN, J., of the Tenth Appellate District, sitting for RESNICK,  
J.

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Zavarello & Davis Co., L.P.A., A. William Zavarello and Rhonda Gail  
Davis, for appellant.

Hanna, Campbell & Powell, L.L.P., Michael Ockerman and John R.  
Chlysta, for appellees Family Medicine, Inc. and Steven D. Smith, M.D.

Roetzel & Andress, Thomas A. Treadon and Stacy A. Ragon, for  
appellees Gastroenterology Associates, Inc. and Gerald Smith, M.D.

Gibbons & Cullen, L.L.P., and John L. Cullen, for appellees Nashat Y.  
Gabrail, M.D., and Nashat Y. Gabrail, M.D., Inc.

SUPREME COURT OF OHIO

Howes, Daane, Milligan & Erwin, L.L.P., Philip E. Howes, Richard S. Milligan and Thomas R. Himmelspach, for appellee Hartville Family Practice.

Michael T. Callahan, urging reversal for amicus curiae Ohio Academy of Trial Lawyers.

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