

**UZHCA, APPELLANT, v. DERHAM; GREAT NORTHERN INSURANCE COMPANY ET
AL., APPELLEES.**

[Cite as *Uzhca v. Derham*, 100 Ohio St.3d 323, 2003-Ohio-6422.]

Insurance — Automobile liability insurance — Uninsured/underinsured motorist coverage — Employer’s commercial automobile liability policy covers loss sustained by employee only if his loss occurs within the course and scope of employment — Court of appeals’ judgment affirmed on authority of Westfield Ins. Co. v. Galatis.

(No. 2002-0850 — Submitted May 13, 2003 — Decided December 17, 2003.)

APPEAL from the Court of Appeals for Montgomery County, No. 19106, 2002-Ohio-1814.

The judgment of the court of appeals is affirmed on the authority of *Westfield Ins. Co. v. Galatis*, 100 Ohio St.3d 216, 2003-Ohio-5849, 797 N.E.2d 1256.

MOYER, C.J., FORD, SUNDERMANN, LUNDBERG STRATTON and O’CONNOR, JJ., concur.

F.E. SWEENEY and PFEIFER, JJ., dissent.

DONALD R. FORD, J., of the Eleventh Appellate District, sitting for RESNICK, J.

J. HOWARD SUNDERMANN JR., J., of the First Appellate District, sitting for COOK, J.

Thomas, Botros, Kollin & Schulte, L.L.C., Michael R. Thomas and Richard W. Schulte, for appellant.

SUPREME COURT OF OHIO

Gallagher, Sharp, Fulton & Norman and Jay Clinton Rice, for appellees Great Northern Insurance Company and Federal Insurance Company.

Reminger & Reminger Co., L.P.A., and Peter J. Stackpole, for appellee Liberty Mutual Insurance Company.

Boyk & Crossmock, L.L.C., and Steven L. Crossmock, urging reversal for amicus curiae Ohio Academy of Trial Lawyers.

Brickler & Eckler, L.L.P., Kurtis A. Tunnell, Anne Marie Sferra and Robert Katz, urging affirmance for amicus curiae American Insurance Association.
