

**DREIBELBIS, APPELLEE, v. KEMPER INSURANCE COMPANY, APPELLEE.**

**[Cite as *Dreibelbis v. Kemper Ins. Co.*, 101 Ohio St.3d 326, 2004-Ohio-1446.]**

*Discretionary appeal accepted — Court of appeals’ judgment reversed on authority of Westfield Ins. Co. v. Galatis.*

(No. 2003-1998 — Submitted February 3, 2004 — Decided April 7, 2004.)

APPEAL from the Court of Appeals for Ashland County, No. 02COA-055, 2003-Ohio-5239.

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{¶1} The discretionary appeal is accepted.

{¶2} The judgment of the court of appeals is reversed 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., LUNDBERG STRATTON, O’CONNOR and O’DONNELL, JJ., concur.

RESNICK and F.E. SWEENEY, JJ., dissent and would affirm.

PFEIFER, J., dissents.

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John K. Rinehardt, for appellee.

Weston, Hurd, Fallon, Paisley & Howley, L.L.P., and Shawn W. Maestle, for appellant.

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