

[Cite as *Washington Mut. Bank v. Beatley*, 122 Ohio St.3d 1212, 2009-Ohio-2611.]

**WASHINGTON MUTUAL BANK, FKA WASHINGTON MUTUAL BANK, FA v.
BEATLEY ET AL., APPELLANTS; FEDERAL DEPOSIT INSURANCE
CORPORATION, RECEIVER, APPELLEE.**

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122 Ohio St.3d 1212, 2009-Ohio-2611.]**

Certification of conflict dismissed as improvidently certified.

(No. 2008-1056 — Submitted May 19, 2009 — Decided June 10, 2009.)

CERTIFIED by the Court of Appeals for Franklin County,
No. 06AP-1189, 2008-Ohio-1679.

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

MOYER, C.J., and PFEIFER, LUNDBERG STRATTON, O'CONNOR,
O'DONNELL, LANZINGER, and CUPP, JJ., concur.

Taft, Stettinius & Hollister, L.L.P., Charles A. Bowers, and Gregory J.
O'Brien, for appellee.

Kevin E. Humphreys, for appellants.
