

[Cite as *Kirchner v. Shooters on the Water, Inc.*, 122 Ohio St.3d 348, 2009-Ohio-3714.]

**KIRCHNER, ADMR., APPELLANT, v. SHOOTERS ON THE WATER, INC. ET AL.,  
APPELLEES.**

**[Cite as *Kirchner v. Shooters on the Water, Inc.*,  
122 Ohio St.3d 348, 2009-Ohio-3714.]**

*Court of appeals' judgment affirmed on the authority of Lang v. Holly Hill Motel,  
Inc.*

(No. 2006-1682 — Submitted June 16, 2009 — Decided August 4, 2009.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 86919,  
167 Ohio App.3d 708, 2006-Ohio-3583.

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{¶ 1} The judgment of the court of appeals is affirmed on the authority  
of *Lang v. Holly Hill Motel, Inc.*, 122 Ohio St.3d 120, 2009-Ohio-2495, 909  
N.E.2d 120.

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

PFEIFER, J., dissents for the reasons stated in his dissenting opinion in  
*Lang v. Holly Hill Motel, Inc.*

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Paul W. Flowers Co., L.P.A., and Paul W. Flowers; and Law Offices of  
Frank Gallucci and Leon M. Plevin, for appellant.

Valore & Cruse Co., L.P.A., Jeffrey M. Elzeer, and Kathryn A. Kerka; and  
Taft, Stettinius & Hollister, L.L.P., and Mark J. Valponi, for appellees Shooters  
on the Water, Inc., and Roger Loecy.

Davis & Young and George W. Lutjen, for appellees Michael Miller,  
Judith Miller, and Gabrielle Miller.

Dennis R. Spirgen, for appellee Sugar Warehouse Limited Partnership.

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