

[Cite as *Swint v. Auld*, 122 Ohio St.3d 349, 2009-Ohio-3715.]

SWINT, APPELLEE, v. AULD ET AL.; VILLAGE OF GOLF MANOR, APPELLANT.

[Cite as *Swint v. Auld*, 122 Ohio St.3d 349, 2009-Ohio-3715.]

*Certified question answered in the negative, court of appeals' judgment reversed
on the authority of *Sullivan v. Anderson Twp.*, and cause remanded.*

(No. 2008-2283 — Submitted May 19, 2009 — Decided August 4, 2009.)

APPEAL from the Court of Appeals for Hamilton County, No. C-080067,
178 Ohio App.3d 531, 2008-Ohio-5381.

{¶ 1} The certified question is answered in the negative.

{¶ 2} The judgment of the court of appeals is reversed on the authority of
Sullivan v. Anderson Twp., 122 Ohio St.3d 83, 2009-Ohio-1971, 909 N.E.2d 88,
and the cause is remanded for consideration of appellant's assignments of error.

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

PFEIFER and LANZINGER, JJ., dissent.

Rendigs, Fry, Kiely & Dennis, L.L.P., and Wilson G. Weisenfelder Jr., for
appellant.
