

**THE CITY OF CLEVELAND ET AL., APPELLEES, v. THE STATE OF OHIO ET AL.,
APPELLANTS.**

[Cite as *Cleveland v. State*, 122 Ohio St.3d 543, 2009-Ohio-4118.]

Court of appeals' judgment reversed on the authority of Lima v. State.

(No. 2008-1240 — Submitted July 14, 2009 — Decided August 20, 2009.)

APPEAL from the Court of Appeals for Cuyahoga County, Nos. 89486 and 89565,
2008-Ohio-2655.

{¶ 1} The judgment of the court of appeals is reversed on the authority of
Lima v. State, 122 Ohio St.3d 155, 2009-Ohio-2597, 909 N.E.2d 616.

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

LANZINGER, J., dissents.

Robert J. Triozzi, Director of Law, Thomas J. Kaiser, Chief Trial Counsel,
and Gary S. Singletary, Assistant Director of Law, for appellees.

Richard Cordray, Attorney General, Benjamin C. Mizer, Solicitor General,
and Sharon A. Jennings and Pearl M. Chin, Assistant Attorneys General, for
appellant state of Ohio.

Joseph W. Diemert Jr. & Associates, Joseph W. Diemert Jr., Thomas M.
Hanculak, and Daniel A. Powell, for appellants Cleveland Fire Fighters
Association, Local 93, IAFF, Fraternal Order of Police, and Ohio Labor Counsel,
Inc.

Faulkner, Muskovitz & Phillips, L.L.P., Robert M. Phillips, Susannah
Muskovitz, and Ryan J. Lemmerbrock, for appellant Fraternal Order of Police,
Lodge 8.

SUPREME COURT OF OHIO

Patrick A. D'Angelo, L.L.C., and Patrick A. D'Angelo, for appellant
Cleveland Police Patrolmen's Association.
