

[Cite as *Cepeda v. Lutheran Hosp.*, 123 Ohio St.3d 161, 2009-Ohio-4901.]

CEPEDA ET AL., APPELLEES, v. LUTHERAN HOSPITAL ET AL.;

ALI S. HALABI, M.D., ET AL., APPELLANTS.

[Cite as *Cepeda v. Lutheran Hosp.*, 123 Ohio St.3d 161, 2009-Ohio-4901.]

Court of appeals' judgment reversed on the authority of Roe v. Planned Parenthood Southwest Ohio Region, and cause remanded to the trial court.

(No. 2008-1350 — Submitted July 14, 2009 — Decided September 22, 2009.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 90031,
2008-Ohio-2348.

{¶ 1} The judgment of the court of appeals is reversed on the authority of *Roe v. Planned Parenthood Southwest Ohio Region*, 122 Ohio St.3d 399, 2009-Ohio-2973, 912 N.E.2d 61, and the cause is remanded to the trial court for further proceedings consistent therewith.

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

PFEIFER and O'DONNELL, JJ., dissent and would affirm the judgment of the court of appeals.

Milano Weiser, Rachel May Weiser, and Jay Milano, for appellees.

Roetzel & Andress, Anna Moore Carulas, and Ingrid Kinkopf-Zajac, for appellants.
