

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Myers v. Brown*, Slip Opinion No. 2012-Ohio-1577.]

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**SLIP OPINION NO. 2012-OHIO-1577**

**MYERS, APPELLEE, v. BROWN ET AL., APPELLANTS.**

**[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Myers v. Brown*, Slip Opinion No. 2012-Ohio-1577.]**

*Certified question answered in the negative and court of appeals' judgment reversed and cause remanded for application of Havel v. Villa St. Joseph.*

(Nos. 2011-0529—Submitted April 4, 2012—Decided April 11, 2012.)

CERTIFIED by the Court of Appeals for Stark County, No. 2010-CA-00238,  
2011-Ohio-892.

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{¶ 1} The certified question is answered in the negative. The judgment of the court of appeals is reversed and the cause is remanded for application of *Havel v. Villa St. Joseph*, \_\_\_ Ohio St.3d \_\_\_, 2012-Ohio-552, \_\_\_ N.E.2d \_\_\_.

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

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SUPREME COURT OF OHIO

Baker, Dublikar, Beck, Wiley & Mathews, Ralph Dublikar, and Eric J. Stecz, for appellant AMCO Insurance Co.

Joyce V. Kimbler, for appellant David L. Brown Jr.

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