

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Wolfe v. Grange Indemn. Ins. Co.*, Slip Opinion No. 2013-Ohio 5201.]

NOTICE

This slip opinion is subject to formal revision before it is published in an advance sheet of the Ohio Official Reports. Readers are requested to promptly notify the Reporter of Decisions, Supreme Court of Ohio, 65 South Front Street, Columbus, Ohio 43215, of any typographical or other formal errors in the opinion, in order that corrections may be made before the opinion is published.

SLIP OPINION NO. 2013-OHIO-5201

**WOLFE, APPELLEE, v. GRANGE INDEMNITY INSURANCE COMPANY,
APPELLANT.**

**[Until this opinion appears in the Ohio Official Reports advance sheets,
it may be cited as *Wolfe v. Grange Indemn. Ins. Co.*,
Slip Opinion No. 2013-Ohio 5201.]**

*Court of appeals' judgment reversed on the authority of Cullen v. State Farm
Mut. Auto. Ins. Co.—Cause remanded for further proceedings.*

(No. 2012-0497—Submitted November 20, 2013—Decided December 17, 2013.)

APPEAL from the Court of Appeals for Stark County, No. 2010CA00339,
2012-Ohio-598.

{¶ 1} The judgment of the court of appeals is reversed on the authority of *Cullen v. State Farm Mut. Auto. Ins. Co.*, ___ Ohio St.3d ___, 2013-Ohio-4733. The cause is remanded to the appellate court for further proceedings. Appellants' motion to lift the stay of the briefing schedule is denied.

O'CONNOR, C.J., and O'DONNELL, LANZINGER, KENNEDY, and FRENCH,
JJ., concur.

SUPREME COURT OF OHIO

PFEIFER and O'NEILL, JJ., dissent from the judgment to reverse and remand.

Schulman Zimmerman & Associates, Allen Schulman Jr., and Brian L. Zimmerman, for appellee.

Vorys, Sater, Seymour and Pease L.L.P., Philip F. Downey, Robert N. Webner, and Robert J. Krummen, for appellant.

Daniel J. Kelso, urging reversal for amici curiae Ohio Insurance Institute, National Association of Mutual Insurance Companies, and Property Casualty Insurance Association of America.

Linda S. Woggon, urging reversal for amicus curiae Ohio Chamber of Commerce.
