

[Cite as *Jodka v. Cleveland*, \_\_\_ Ohio St.3d \_\_\_, 2015-Ohio-861.]

**JODKA, APPELLANT, v. THE CITY OF CLEVELAND ET AL., APPELLEES.**

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*Certification of conflict dismissed as improvidently certified.*

(No. 2014-0480—Submitted July 9, 2014—Decided March 12, 2015.)

CERTIFIED BY the Court of Appeals for Cuyahoga County, No. 99951, 2014-Ohio-208.

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{¶ 1} The certification of conflict is dismissed, sua sponte, as having been improvidently certified.

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

PFEIFER and O’NEILL, JJ., dissent.

O’DONNELL, J., not participating.

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Mayle, Ray & Mayle, L.L.C., Andrew R. Mayle, Jeremiah S. Ray, and Ronald J. Mayle; and Murray & Murray, Co., L.P.A., and John T. Murray, for appellant.

Barbara Langhenry, Director of Law, and Gary Singletary, Assistant Director of Law, for appellee city of Cleveland.

Baker & Hostetler, L.L.P., Gregory V. Mersol, and Chris Bator, for appellees Affiliated Computer Services, Inc., Boulder Acquisition Corp., and Xerox Corp.

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