

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Maxwell v. Lombardi*, Slip Opinion No. 2023-Ohio-4700.]

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. 2023-OHIO-4700

**MAXWELL, INDIVIDUALLY AND AS ADMR. OF THE ESTATE OF MAXWELL,
APPELLEE, v. LOMBARDI ET AL., APPELLANTS.**

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Maxwell v. Lombardi*, Slip Opinion No. 2023-Ohio-4700.]

Court of appeals' judgment reversed on the authority of Everhart v. Coshocton Cty.

Mem. Hosp.

(Nos. 2022-0781 and 2022-0890—Submitted December 20, 2023—Decided
December 28, 2023.)

APPEAL from and CERTIFIED by the Court of Appeals for Franklin County,
No. 21AP-556, 2022-Ohio-1686.

{¶ 1} The judgment of the Tenth District Court of Appeals is reversed on the authority of *Everhart v. Coshocton Cty. Mem. Hosp.*, __ Ohio St.3d __, 2023-Ohio-4670, __ N.E.3d __.

KENNEDY, C.J., and FISCHER, DEWINE, DONNELLY, STEWART, BRUNNER, and DETERS, JJ., concur.

SUPREME COURT OF OHIO

Elk & Elk Co., Ltd., and R. Craig McLaughlin, for appellee, Joy L. Maxwell.

Collins, Roche, Utley & Garner, L.L.C., and David L. Lester; and Poling Law, Brant E. Poling, and Sabrina S. Sellers, for appellants, Adolph V. Lombardi, M.D., and Joint Implant Surgeons, Inc.
