

Gary O'Nesti and Leon Zionts

Case No. 2005-2093

v.

JUDGMENT ENTRY

DeBartolo Realty Corp. and DeBartolo  
Property Management, Inc.

APPEAL FROM THE  
COURT OF APPEALS

This cause, here on appeal from the Court of Appeals for Mahoning County, was considered in the manner prescribed by law. On consideration thereof, the judgment of the court of appeals is reversed and this cause is remanded to the trial court for proceedings, consistent with the opinion rendered herein.

It is further ordered that costs are assessed pursuant to S.Ct.Prac.R XI(5) and that a mandate be sent to the Court of Common Pleas for Mahoning County to carry this judgment into execution and that a copy of this entry be certified to the Clerk of the Court of Appeals for Mahoning County for entry.

(Mahoning County Court of Appeals; No. 04MA170)

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THOMAS J. MOYER  
Chief Justice