

Kimberly Dombroski

v.

WellPoint, Inc., et al.

Case No. 2007-2162

JUDGMENT ENTRY

CERTIFIED CONFLICT FROM
THE COURT OF APPEALS

This cause, here on a certification of a conflict by the Court of Appeals for Belmont County, was considered in the manner prescribed by law. On consideration thereof, the second prong of the *Belvedere* test is modified and the judgment of the court of appeals is reversed consistent with the opinion rendered herein.

It is further ordered that a mandate be sent to the Court of Appeals for Belmont County by certifying a copy of this judgment entry and filing it with the Clerk of the Court of Appeals for Belmont County.

(Belmont County Court of Appeals; No. 06BE60)

THOMAS J. MOYER
Chief Justice