

FILED

SEP 25 2013

CLERK OF COURT
SUPREME COURT OF OHIO

The Supreme Court of Ohio

The Lincoln Electric Company

Case No. 2013-1088

v.

ENTRY

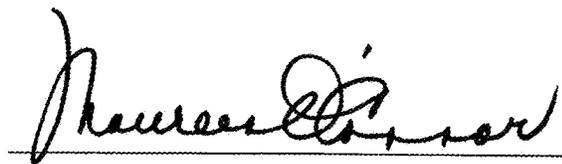
Travelers Casualty and Surety Company, et al.

This cause, here on the certification of a state law question from the United States District Court for the Northern District of Ohio, Eastern Division, was considered in the manner prescribed by law. Upon review pursuant to S.Ct.Prac.R. 9.05, the court will answer the following question:

“May an insured who has accrued indemnity and defense costs arising from progressive injuries, and who settles resultant claims against primary insurer(s) on a pro rata allocation basis among various primary insurance policies, employ an “all sums” method to aggregate unreimbursed losses and thereby reach the attachment point(s) of one or more excess insurance policies?”

It is ordered by the court that petitioners shall file their merit brief within 40 days of the date of this entry and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. 16.02 - 16.04, and S.Ct.Prac.R. 9.07.

(U.S. Northern District of Ohio Eastern Division; No. 1:11CV2253)



Maureen O'Connor
Chief Justice