

**THE CITY OF AKRON ET AL., APPELLANTS, v. OHIO STATE DEPARTMENT OF
INSURANCE ET AL., APPELLEES.**

[Cite as *Akron v. Ohio Dept. of Ins.*, 144 Ohio St.3d 56, 2015-Ohio-2926.]

Appeal dismissed as having been improvidently accepted.

(No. 2014-0738—Submitted June 9, 2015—Decided July 23, 2015.)

APPEAL from the Court of Appeals for Franklin County, Nos. 13-AP-473,
13-AP-484, and 13-AP-496, 2014-Ohio-96.

{¶ 1} The cause is dismissed, sua sponte, as having been improvidently accepted.

{¶ 2} The court orders that the opinion of the court of appeals may not be cited as authority except by the parties inter se.

O’CONNOR, C.J., and PFEIFER, O’DONNELL, and LANZINGER, JJ., concur.
KENNEDY, FRENCH, and O’NEILL, JJ., dissent.

Larry Dean Shenise, for appellants, Timothy Metcalfe and William Biasella.

Roetzel & Andress, L.P.A., Paul L. Jackson, and Karen D. Adinolfi; Patricia Ambrose Rubright, Akron Director of Law, and Tammy Kalail, Assistant Director of Law, for appellee city of Akron.

Mike DeWine, Attorney General, Eric E. Murphy, State Solicitor, Michael J. Hendershot, Chief Deputy Solicitor, and Jennifer S.M. Croskey, Assistant Attorney General, for appellee Ohio Police and Fire Pension Fund.

Frantz Ward, L.L.P., and Michael E. Smith, for appellee Medical Mutual of Ohio.

SUPREME COURT OF OHIO

Muskovitz & Lemmerbrock, L.L.C., Susannah Muskovitz, and Christopher C. Moses, urging reversal for amicus curiae, Fraternal Order of Police, Akron Lodge #7.
