

[Cite as *Barnes v. Univ. Hosps. of Cleveland*, 2009-Ohio-26.]

# Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT  
COUNTY OF CUYAHOGA

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JOURNAL ENTRY AND OPINION  
**No. 87247**

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**ANDREA BARNES**

PLAINTIFF-APPELLANT

vs.

**UNIVERSITY HOSPITALS  
OF CLEVELAND, ET AL.**

DEFENDANTS-APPELLEES

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**JUDGMENT:  
APPEAL DISMISSED  
(MOTION NO. 416763 IS GRANTED)**

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Civil Appeal from the  
Cuyahoga County Court of Common Pleas  
Case No. CV-455448

**BEFORE:** Celebrezze, J., Sweeney, P.J., and Calabrese, J.  
**RELEASED:** January 7, 2009  
**JOURNALIZED:**

## **ATTORNEYS FOR APPELLANT**

James M. Roper  
Jessica K. Walls  
Isaac, Brant, Ledman & Teetor  
250 East Broad Street  
Suite 900  
Columbus, Ohio 43215-3742

Richard P. Goddard  
Calfee, Halter & Griswold, L.L.P.  
1400 McDonald Investment Center  
800 Superior Avenue  
Cleveland, Ohio 44114

## **ATTORNEYS FOR APPELLEES**

W. Craig Bashein  
Bashein & Bashein  
35th Floor, Terminal Tower  
50 Public Square  
Cleveland, Ohio 44113

Michael F. Becker  
Lawrence F. Peskin  
Becker & Mishkind Co., L.P.A.  
134 Middle Avenue  
Elyria, Ohio 44035

Paul W. Flowers  
Paul W. Flowers Co., L.P.A.  
35th Floor, Terminal Tower  
50 Public Square  
Cleveland, Ohio 44113

N.B. This entry is an announcement of the court's decision. See App.R. 22(B), 22(D) and 26(A); Loc.App.R. 22. This decision will be journalized and will become the judgment and order of the court pursuant to App.R. 22(E) unless a motion for reconsideration with supporting brief, per App.R. 26(A), is filed within ten (10) days of the announcement of the court's decision. The time period for review by the Supreme Court of Ohio shall begin to run upon the journalization of this court's announcement of decision by the clerk per App.R. 22(E). See, also, S.Ct. Prac.R. II, Section 2(A)(1).

FRANK D. CELEBREZZE, JR., J.:

{¶ 1} This cause was before us on remand from the Ohio Supreme Court for further review of our decision released November 30, 2006.<sup>1</sup> On December 24, 2008, a Joint Stipulation of Dismissal was filed by the parties. Pursuant to the parties' joint stipulation, this appeal is dismissed.

Appeal dismissed.

It is ordered that appellee recover of appellants costs herein taxed.

A certified copy of this entry shall constitute the mandate pursuant to Rule 27 of the Rules of Appellate Procedure.

FRANK D. CELEBREZZE, JR., JUDGE

JAMES J. SWEENEY, P.J., and  
ANTHONY O. CALABRESE, JR., J., CONCUR

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<sup>1</sup>*Barnes v. Univ. Hosps. of Cleveland*, Cuyahoga App. Nos. 87247, 87285, 87710, 87903, and 87946, 2006-Ohio-6266.