

COONS, APPELLANT, v. BROWNLEE, D.B.A. RESTORATION

SPECIALTIES COMPANY, APPELLEE.

[Cite as *Coons v. Brownlee* (1998), ___ Ohio St.3d ____.]

Appeal dismissed as improvidently allowed.

(No. 96-2803 — Submitted December 9, 1997 — Decided February 11, 1998.)

APPEAL from the Court of Appeals for Logan County, No. 8-95-21.

Rankin M. Gibson, for appellant.

Heaton & Kellogg-Martin and *Mark A. Losey*, for appellee.

The appeal is dismissed, *sua sponte*, as having been improvidently allowed.

MOYER, C.J., RESNICK, PFEIFER, COOK and LUNDBERG STRATTON, JJ.,
concur.

DOUGLAS, J., dissents.

F.E. SWEENEY, J., dissents and would reverse the judgment of the court of
appeals and reinstate the judgment of the trial court.