

COLLINS ET AL., APPELLANTS, v. DOWN RIVER SPECIALTIES, INC. ET AL., APPELLEES.

[Cite as *Collins v. Down River Specialties, Inc.* (1999), ___ Ohio St.3d ____.]

Appeal dismissed as improvidently allowed.

(Nos. 98-1099 and 98-1107 — Submitted April 13, 1999 — Decided May 26,
1999.)

APPEALS from the Court of Appeals for Cuyahoga County, Nos. 70840 and 70842.

McLaughlin & McCaffrey, L.L.P., Patrick M. McLaughlin and John F. McCaffrey, for appellant Gertrude Collins.

Jeffries, Kube, Forrest & Monteleone Co., L.P.A., and David A. Forrest, for appellant Kenneth Wilkerson.

Stanley S. Keller and Brian D. Spitz, for appellees.

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

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

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