

CHANDLER & ASSOCIATES, INC. ET AL., APPELLANTS, v. AMERICA'S HEALTHCARE
ALLIANCE, INC. ET AL., APPELLEES.

[Cite as *Chandler & Assoc., Inc. v. America's Healthcare Alliance, Inc.* (1999),
___ Ohio St.3d ___.]

Appeal dismissed as improvidently allowed.

(No. 98-171 — Submitted January 26, 1999 — Decided March 3, 1999.)

APPEAL from the Court of Appeals for Cuyahoga County, Nos. 71325 and 71832.

*Climaco, Climaco, Lefkowitz & Garofoli Co., L.P.A., John R. Climaco, Jack
D. Maistros, David M. Cuppage and Shannon P. Haggerty; Chester, Willcox &
Saxbe and J. Craig Wright; Arter & Hadden and Irene C. Keyse-Walker, for
appellants.*

*Robert P. DeMarco & Associates and Robert P. DeMarco; Porter, Wright,
Morris & Arthur, Samuel H. Porter, Daniel W. Costello and Jennifer T. Mills, for
appellees.*

*Oldham & Dowling and Martin R. Hulthen, urging reversal for amicus
curiae, Builders & Contractors Employee Benefit Association.*

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

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

F.E. SWEENEY, J., dissents.

PFEIFER, J., dissents and would affirm the judgment on the contract claim
and reverse the judgment on the tort claim.

COOK, J., dissents.

COOK, J., dissenting. I would reverse the judgment of the court of appeals.