

**SHIRLEY ET AL., APPELLEES, v. REPUBLIC-FRANKLIN INSURANCE COMPANY
ET AL.; WESTFIELD INSURANCE COMPANY, APPELLANT.**

**[Cite as *Shirley v. Republic-Franklin Ins. Co.*,
104 Ohio St.3d 638, 2005-Ohio-182.]**

*Judgments — Law-of-the-case doctrine — Uninsured/underinsured motorist
coverage — Court of appeals’ judgment reversed and cause remanded on
the authority of Hopkins v. Dyer.*

(Nos. 2004-1219 and 2004-1220 — Submitted

January 11, 2005 — Decided February 2, 2005.)

APPEAL from and CERTIFIED by the Court of Appeals
for Stark County, No. 2003CA00361.

{¶ 1} The judgment of the court of appeals is reversed on the authority of *Hopkins v. Dyer*, 104 Ohio St.3d 461, 2004-Ohio-6769, 820 N.E.2d 329, and the cause is remanded to the trial court for application of *Westfield Ins. Co. v. Galatis*, 100 Ohio St.3d 216, 2003-Ohio-5849, 797 N.E.2d 1256.

MOYER, C.J., LUNDBERG STRATTON, O’CONNOR and O’DONNELL, JJ.,
concur.

RESNICK and PFEIFER, JJ., dissent.

LANZINGER, J., not participating.

John S. Coury, for appellees.

Pelini & Fischer, Ltd., Craig G. Pelini and Mark F. Fischer, for appellant.
