

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Tribett v. Shepherd*, Slip Opinion No. 2016-Ohio-5821.]

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SLIP OPINION NO. 2016-OHIO-5821

TRIBETT, APPELLEE, v. SHEPHERD ET AL., APPELLANTS.

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Court of appeals' judgment reversed on the authority of Corban v. Chesapeake Exploration, L.L.C.

(No. 2014-1966—Submitted August 16, 2016—Decided September 15, 2016.)

APPEAL from the Court of Appeals for Belmont County,

No. 13 BE 32, 2014-Ohio-4320.

{¶ 1} The judgment of the court of appeals is reversed on the authority of *Corban v. Chesapeake Exploration, L.L.C.*, ___ Ohio St.3d ___, 2016-Ohio-5796, ___ N.E.3d ___.

O'CONNOR, C.J., and O'DONNELL, LANZINGER, KENNEDY, and FRENCH, JJ., concur.

PFEIFER and O'NEILL, JJ., dissent.

SUPREME COURT OF OHIO

Myser & Davies, Richard A. Myser, and Adam L. Myser, for appellee.

Bricker & Eckler, L.L.P., Matthew W. Warnock, Daniel E. Gerken, and Daniel C. Gibson, for appellants.

Krugliak, Wilkins, Griffiths & Dougherty Co., L.P.A., Gregory W. Watts, Matthew W. Onest, David E. Butz, and William G. Williams, urging affirmance for amici curiae Jeffco Resources, Inc.; Richmond Mill, Inc.; Douglas Henderson; Djuro and Vesna Kovacic; Brett and Kim Trissel; Carol Miller; Barbara L. Miller; Jeffrey V. Miller; Jerilyn E. Christensen and Kjeld F. Christensen, Co-Trustees of the Kjeld F. Christensen Revocable Trust dated September 25, 2012, and the Jerilyn E. Christensen Revocable Trust dated September 25, 2012; Ralph and Sharley Greer; Jeffrey Hickman; and Christopher and Veronica Wendt.

Yoss Law Office and Ryan M. Regel, urging affirmance for amici curiae David R. Stanley and Carolyn T. Stanley.

Michael DeWine, Attorney General, Eric E. Murphy, State Solicitor, and Samuel C. Peterson, Deputy Solicitor, urging affirmance for amicus curiae state of Ohio.
