

[Cite as *Moorhead v. Nationwide Mut. Fire Ins. Co.*, 100 Ohio St.3d 321, 2003-Ohio-6218.]

**MOORHEAD, APPELLEE, v. NATIONWIDE MUTUAL FIRE INSURANCE COMPANY,  
APPELLANT.**

[Cite as *Moorhead v. Nationwide Mut. Fire Ins. Co.*, 100 Ohio St.3d 321, 2003-  
Ohio-6218.]

*Discretionary appeal accepted — Insurance — Automobile liability insurance —  
Uninsured/underinsured motorist coverage — Employer’s commercial  
automobile liability policy covers loss sustained by employee only if loss  
occurs within the course and scope of employment — Court of appeals’  
judgment affirmed as to school district liability policy and reversed as to  
business automobile liability policy on the authority of Westfield Ins. Co.  
v. Galatis.*

(No. 2003-1541 — Submitted November 3, 2003 — Decided December 10,  
2003.)

APPEAL from the Court of Appeals for Stark County, No. 2002CA00391, 2003-  
Ohio-4028.

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{¶1} The discretionary appeal is accepted.

{¶2} The judgment of the court of appeals is affirmed as to the Canton  
City School District Board of Education commercial general liability policy and  
reversed as to the finding of coverage under the business automobile liability  
policy on the authority 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, F.E. SWEENEY and PFEIFER, JJ., dissent.

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SUPREME COURT OF OHIO

Stanley R. Rubin, for appellee.

Pfau, Pfau & Marando and John C. Pfau, for appellant.

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