

[Cite as *Barry v. A.E. Steel Erectors, Inc.*, 126 Ohio St.3d 63, 2010-Ohio-3131.]

BARRY ET AL., APPELLEES, v. A.E. STEEL ERECTORS, INC., APPELLANT, ET AL.
[Cite as *Barry v. A.E. Steel Erectors, Inc.*, 126 Ohio St.3d 63, 2010-Ohio-3131.]
Court of appeals' judgment reversed on the authority of Kaminski v. Metal & Wire Prods. Co. and Stetter v. R.J. Corman Derailment Servs., L.L.C., and judgment of the trial court reinstated.
(No. 2008-1840 — Submitted March 31, 2010 — Decided July 8, 2010.)
APPEAL from the Court of Appeals for Cuyahoga County, No. 90436,
2008-Ohio-3676.

{¶ 1} The judgment of the court of appeals is reversed on the authority of *Kaminski v. Metal & Wire Prods. Co.*, 125 Ohio St.3d 250, 2010-Ohio-1027, 927 N.E.2d 1066, and *Stetter v. R.J. Corman Derailment Servs., L.L.C.*, 125 Ohio St.3d 280, 2010-Ohio-1029, 927 N.E.2d 1092, and the judgment of the trial court is reinstated.

LUNDBERG STRATTON, O'CONNOR, O'DONNELL, LANZINGER, and CUPP, JJ., concur.

PFEIFER, J., dissents for the reasons stated in his dissenting opinions in *Kaminski v. Metal & Wire Prods. Co.* and *Stetter v. R.J. Corman Derailment Servs.*

BROWN, C.J., not participating.

Paul W. Flowers Co., L.P.A., and Paul W. Flowers; and Bashein & Bashein Co., L.P.A., and W. Craig Bashein, for appellees.

Roetzel & Andress, L.P.A., Laura M. Faust, and Douglas G. Leak, for appellant.
