

**CONLEY ET AL., APPELLEES, v. FAURECIA EXHAUST SYSTEMS, INC. ET AL.;  
R & D MACHINE, INC., APPELLANT.**

**[Cite as *Conley v. Faurecia Exhaust Sys., Inc.*,  
127 Ohio St.3d 122, 2010-Ohio-5272.]**

*Discretionary appeal accepted on Proposition of Law No. I, judgment of the court of appeals reversed on the authority of Pettiford v. Aggarwal, and cause remanded to the court of appeals for further proceedings consistent with Pettiford v. Aggarwal.*

(No. 2010-1192 — Submitted September 28, 2010 — Decided  
November 2, 2010.)

APPEAL from the Court of Appeals for Miami County, No. 2009 CA 26,  
2010-Ohio-2394.

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{¶ 1} The discretionary appeal is accepted on Proposition of Law No. I.

{¶ 2} The judgment of the court of appeals is reversed on the authority of *Pettiford v. Aggarwal*, 126 Ohio St.3d 413, 2010-Ohio-3237, 934 N.E.2d 913, and the cause is remanded to the court of appeals for further proceedings consistent with *Pettiford v. Aggarwal*.

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

BROWN, C.J., and PFEIFER, J., dissent and would not accept the discretionary appeal.

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Volkema, Thomas, Miller & Scott, Michael S. Miller, and Warner M. Thomas Jr., for appellees.

SUPREME COURT OF OHIO

Freund, Freeze & Arnold, Gordon D. Arnold, and Patrick J. Janis, for  
appellant.

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