

**OHIO CASE SUMMARIES**  
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**Ohio case summaries are brief descriptions of cases decided in the past week by the Ohio Supreme Court and lower appellate courts on issues related to insurance law. Except for holidays, these summaries will be provided Wednesday and Friday of each week. To discontinue receiving this service, please call Jared Wagner at 937-224-3333 or email Jared at [jawagner@green-law.com](mailto:jawagner@green-law.com).**

Court of Appeals: Supreme Court

Case Name: *Groch v. Gen. Motors Corp.*, 2006-Ohio-6712

Decided: December 29, 2006 (posted December 29, 2006)

Issue(s): Constitutionality of Statutory Subrogation, Statutes of Repose, and Senate Bill 80

Summary of Opinion: The Ohio Supreme Court agreed to answer nine certified questions of state law posed by the United States District Court, Northern District of Ohio, Western Division. Three of these questions deal with whether R.C. 4123.93 and 4123.931 violate the Ohio Constitution. R.C. 4123.93 and 4123.931 provide the administrator of workers' compensation and self-insuring employers with statutory rights of subrogation against third parties. Five of the certified questions concern the constitutionality of R.C. 2305.10(C) and (F), which establish that product liability actions must be initiated against a manufacturer within ten years of the product being received by a consumer. The final certified question asks whether Senate Bill 80 violates the one subject rule of the Ohio Constitution. Senate Bill 80 became effective April 7, 2005, and was a major multi-subject general tort reform bill that made significant revisions and additions to Ohio's tort law. The Supreme Court's decision regarding these nine certified questions will affect every facet of law in Ohio, including insurance law. We will continue to monitor this case and keep you updated.

GREEN & GREEN, Lawyers represents select insurance clients in all aspects of insurance litigation, from complex coverage questions to more routine torts. We will see to it that your file will be handled only by a competent, seasoned attorney who will work diligently to obtain the best result possible.

As a service to our clients, we provide weekly summaries of the most recent Ohio Supreme Court and appellate decisions on cases of interest to our insurance clients. No opinion as to the legal import of the cases summarized is intended. Any questions regarding the information contained in this transmission should be directed at any time to one of the attorneys of the firm.