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TUCKER ELLIS & WEST SECURES SUPREME COURT WIN FOR AMERICAN OPTICAL

Cleveland, Ohio – (January 21, 2010) Tucker Ellis & West attorneys Jeffrey Healy and Susan Audey secured a win in the Ohio Supreme Court for defendant American Optical in *Cross v. A-Best Products Company*. With nothing more than the jurisdictional briefs before it, the Supreme Court, on the authority of its 2008 decision in *Ackison v. Anchor Packing Company*, reversed the judgment of the Eighth District Court of Appeals that had affirmed the trial court’s refusal to apply the new prima-facie-requirement statute enacted by the General Assembly as part of Am.Sub.H.B. No. 292.

Although the abbreviated procedural course taken in *Cross* is not typical, it is the right result for American Optical in particular and all defendants in asbestos litigation in general. The Court’s decision sends a clear signal that its decision in *Ackison* is the standard that trial courts are to rely upon when faced with whether pre-H.B. 292 cases are subject to the prima-facie-requirement statute.

Tucker Ellis & West LLP is a full service law firm with over 145 attorneys with offices in Cleveland and Columbus, Ohio, Denver, Colorado, and Los Angeles and San Francisco, California.

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