

Supreme Court of Ohio Rejects Triangular Veil Piercing

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On March 25, the Supreme Court of Ohio reversed a lower court that had permitted a plaintiff to pierce a corporate entity's veil to reach the assets of a sister corporation. In the unanimous decision handed down in *Minno v. Pro-Fab, Inc.*, 2009-Ohio-1247 (Slip Op. March 25, 2009), the Court rejected a theory often called "triangular piercing," so-called because a plaintiff attempts to pierce up through the defendant entity's corporate form to the common owner, and then down to a sister entity's assets.

Minno is the second major veil-piercing decision in the last several months from the Court. In October, the Court modified the general test for veil piercing in *Dombroski v. WellPoint, Inc.*, 2008-Ohio-4827. The Court in *Minno* cited with approval the standard for veil piercing adopted by *Dombroski*. Members of the Vorys Appellate Group litigated the *Dombroski* case in the high court.

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