

No. 21933 -- Roberta Mayhorn, as Executive of the Estate of Homer Mayhorn v. Logan Medical Foundation, a corporation, dba Logan General Hospital; and Dr. Jim Gosien, M.D.

Neely, J., dissenting:

I dissent to the holding of Syllabus Point 6 for reasons set forth in my dissent in Gilman v. Choi, 185 W. Va. at 182, 406 S.E.2d at 205 (1990).