

**THE STATE EX REL. KIRK, APPELLANT, v. OWENS-ILLINOIS, INC. ET AL.,
APPELLEES.**

[Cite as *State ex rel. Kirk v. Owens-Illinois, Inc.*, 1998-Ohio-36.]

Workers' compensation—Court of appeals' judgment affirmed.

(No. 98-41—Submitted September 15, 1998—Decided October 28, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 97APD01-5.

Michael J. Muldoon, for appellant.

Vorys, Sater, Seymour & Pease, L.L.P., and *Theodore P. Mattis*, for
appellee Owens-Illinois, Inc.

Betty D. Montgomery, Attorney General, and *Steven P. Fixler*, Assistant
Attorney General, for appellee Industrial Commission.

{¶ 1} The judgment of the court of appeals is affirmed consistent with the
opinion of the court of appeals.

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER, COOK and
LUNDBERG STRATTON, JJ., concur.
