

**THE STATE EX REL. MCKEE, APPELLANT, v. INDUSTRIAL COMMISSION OF OHIO  
ET AL., APPELLEES.**

**[Cite as *State ex rel. McKee v. Indus. Comm.*, 1998-Ohio-395.]**

*Workers' compensation—Court of appeals' judgment affirmed.*

(No. 96-552—Submitted June 9, 1998—Decided July 22, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 95APD02-137.

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*Casper & Casper, Megan Richards and Douglas Casper*, for appellant.

*Betty D. Montgomery*, Attorney General, and *James A. Barnes*, Assistant Attorney General, for appellee Industrial Commission of Ohio.

*Vorys, Sater, Seymour & Pease, J. Scott Jamieson and Randall W. Mikes*, for appellee Buckeye International Plastics.

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

MOYER, C.J., PFEIFER, COOK and LUNDBERG STRATTON, JJ., concur.

DOUGLAS, RESNICK and F.E. SWEENEY, JJ., dissent.

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