

**RUGE, APPELLANT AND CROSS-APPELLEE, v. CONRAD, ADMR., ET AL.,
APPELLEES AND CROSS-APPELLANTS; NAVISTAR INTERNATIONAL
TRANSPORTATION CORPORATION, APPELLEE.
[Cite as *Ruge v. Conrad*, 1998-Ohio-536.]**

Appeal dismissed as improvidently allowed.

(No. 97-2328—Submitted October 14, 1998 at the Mercer County Session—
Decided December 30, 1998.)

APPEAL and CROSS-APPEAL from the Court of Appeals for Clark County, No.
97CA0015.

*Stewart Jaffy & Associates Co., L.P.A., Stewart R. Jaffy, Marc J. Jaffy and
Eric S. Bravo*, for appellant and cross-appellee.

Betty D. Montgomery, Attorney General, and *Michael A. Vanderhorst*,
Assistant Attorney General, for appellees and cross-appellants Administrator,
Bureau of Workers' Compensation, and Industrial Commission.

Vorys, Sater, Seymour & Pease and *Joseph A. Brunetto*, for appellee
Navistar International Transportation Corp.

{¶ 1} The cause is dismissed, *sua sponte*, as having been improvidently
allowed.

{¶ 2} The court orders that the court of appeals' opinion not be published in
the Ohio Official Reports, and that it may not be cited as authority except by the
parties *inter se*.

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

COOK, J., dissents.

SUPREME COURT OF OHIO

COOK, J., dissenting.

{¶ 3} I respectfully dissent from the decision to dismiss this case as improvidently allowed and, if addressing this case on the merits, would affirm the decision of the court of appeals.
