

THE STATE EX REL. YARBER, APPELLEE AND CROSS-APPELLANT, v. INDUSTRIAL
COMMISSION OF OHIO ET AL, APPELLANTS AND CROSS-APPELLEES.

[Cite as *State ex rel. Yarber v. Indus. Comm.* (1998), ___ Ohio St.3d ____.]

Workers' compensation — Court of appeals' judgment affirmed.

(No. 97-1457 — Submitted August 19, 1998 — Decided October 7, 1998.)

APPEAL and CROSS-APPEAL from the Court of Appeals for Franklin County, No.

96APD08-1034.

Harris & Burgin and *Denise L. Devney*, for appellee and cross-appellant.

Betty D. Montgomery, Attorney General, and *Steven P. Fixler*, Assistant
Attorney General, for appellants and cross-appellees.

The judgment of the court of appeals is affirmed consistent with the opinion
of the court of appeals.

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

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