

**THE STATE EX REL. RUBBERMAID, INC., APPELLEE, v. INDUSTRIAL
COMMISSION OF OHIO; LOWRY, APPELLANT.**

[Cite as *State ex rel. Rubbermaid, Inc. v. Indus. Comm.*, 1999-Ohio-227.]

Workers' compensation—Court of appeals' judgment affirmed.

(No. 99-183—Submitted August 25, 1999—Decided October 13, 1999.)

APPEAL from the Court of Appeals for Franklin County, No. 97APD12-1618.

Critchfield, Critchfield & Johnston, Ltd., and *Susan E. Baker*, for appellee.
James C. Ayers Law Office and *James C. Ayers*, for appellant.

{¶ 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, J., dissents.

RESNICK and F.E. SWEENEY, JJ., dissent and would reverse the judgment of the court of appeals.
