

**THE STATE EX REL. COOPER, APPELLANT, v. CONRAD, ADMR., ET AL.;**  
**INDUSTRIAL COMMISSION OF OHIO, APPELLEE.**

**[Cite as *State ex rel. Cooper v. Conrad*, 1999-Ohio-231.]**

*Workers' compensation—Court of appeals' judgment reversed and State ex rel.*  
*Noll relief granted.*

(No. 99-469—Submitted August 25, 1999—Decided October 13, 1999.)

APPEAL from the Court of Appeals for Franklin County, No. 98AP-226.

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*Urban Co., L.P.A., and Anthony P. Christine*, for appellant.

*Betty D. Montgomery*, Attorney General, and *Cecille Caluya Harris*,  
Assistant Attorney General, for appellee.

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{¶ 1} The judgment of the court of appeals is reversed, and the cause is  
returned to the Industrial Commission for compliance with *State ex rel. Noll v.*  
*Indus. Comm.* (1991), 57 Ohio St.3d 203, 567 N.E.2d 245.

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

PFEIFER, COOK and LUNDBERG STRATTON, JJ., dissent.

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**LUNDBERG STRATTON, J., dissenting.**

{¶ 2} I respectfully dissent. I would affirm the judgment of the court of  
appeals.

PFEIFER and COOK, JJ., concur in the foregoing dissenting opinion.

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