

**THE STATE EX REL. LENNOX INDUSTRIES, INC., APPELLEE, v. INDUSTRIAL
COMMISSION OF OHIO; CONN, APPELLANT.**

[Cite as *State ex rel. Lennox Industries, Inc. v. Indus. Comm.*, 1999-Ohio-270.]

Workers' compensation—Court of appeals' judgment affirmed.

(No. 98-1409—Submitted February 23, 1999—Decided April 21, 1999.)

APPEAL from the Court of Appeals for Franklin County, No. 97APD06-834.

Vorys, Sater, Seymour & Pease L.L.P. and *Randall W. Mikes*, for appellee.
Betty D. Montgomery, Attorney General, and *Angela D. Marinakis*,
Assistant Attorney General, for Industrial Commission.

Colasurd & Colasurd and *Christopher P. Colasurd*, for appellant Junior B.
Conn.

{¶ 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 and RESNICK, JJ., dissent.

F.E. SWEENEY, J., dissents and would reverse the judgment of the court of
appeals.

ALICE ROBIE RESNICK, J., dissenting.

{¶ 2} I would reverse the judgment of the court of appeals and reinstate the
order of the Industrial Commission.

DOUGLAS, J., concurs in the foregoing dissenting opinion.
