

**THE STATE EX REL. CAMARGO, APPELLANT, v. INDUSTRIAL COMMISSION OF  
OHIO ET AL., APPELLEES.**

[Cite as *State ex rel. Camargo v. Indus. Comm.*, 1999-Ohio-494.]

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

(No. 98-847—Submitted November 10, 1998—Decided January 20, 1999.)  
Appeal from the Court of Appeals for Franklin County, No. 97APD02-186.

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*Gallon & Takacs Co., L.P.A.*, and *Thomas J. Schaffer*, for appellant.

*Betty D. Montgomery*, Attorney General, and *Reeve W. Kelsey*, Assistant  
Attorney General, for appellee Industrial Commission.

*Vorys, Sater, Seymour & Pease L.L.P.*, *Elizabeth T. Smith* and *William W.  
Patmon III*, for appellee Mercy Hospital of Toledo.

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{¶ 1} The judgment of the court of appeals is reversed. The cause is  
returned to the Industrial Commission for relief consistent with *State ex rel. Gay v.  
Mihm* (1994), 68 Ohio St.3d 315, 626 N.E.2d 666.

DOUGLAS, RESNICK, F.E. SWEENEY and PFEIFER, concur.

MOYER, C.J., COOK and LUNDBERG STRATTON, JJ., dissent.

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

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

MOYER, C.J., and COOK, J., concur in the foregoing dissenting opinion.

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