

**THE STATE EX REL. JOHNS MANVILLE INTERNATIONAL, INC., APPELLEE, v.  
INDUSTRIAL COMMISSION OF OHIO ET AL.; MILLER, APPELLANT.  
[Cite as *State ex rel. Johns Manville Internatl., Inc. v. Indus. Comm.*, 103 Ohio  
St.3d 473, 2004-Ohio-5700.]**

*Workers' compensation — Court of appeals' judgment affirmed.*

(No. 2003-2161 — Submitted August 17, 2004 — Decided November 10, 2004.)

APPEAL from the Court of Appeals for Franklin County, No. 02AP-957, 2003-  
Ohio-5808.

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{¶1} The judgment of the court of appeals is affirmed consistent with  
the opinion of the court of appeals.

MOYER, C.J., LUNDBERG STRATTON, O'CONNOR and O'DONNELL, JJ.,  
concur.

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

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Gibson & Robbins-Penniman and J. Miles Gibson, for appellee Johns  
Manville International, Inc.

John R. Workman, for appellant.

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