

**THORTON, APPELLEE, v. MONTVILLE PLASTICS & RUBBER, INC., APPELLANT;
ADMINISTRATOR, BUREAU OF WORKERS' COMPENSATION, APPELLEE.**

**[Cite as *Thorton v. Montville Plastics & Rubber, Inc.*,
121 Ohio St.3d 406, 2009-Ohio-1516.]**

Judgment of the court of appeals affirmed.

(No. 2008-0298 — Submitted March 25, 2009 — Decided April 7, 2009.)

APPEAL from the Court of Appeals for Geauga County,

No. 2007-G-2760, 2007-Ohio-7115.

{¶ 1} The judgment of the court of appeals is affirmed on the authority of *Thorton v. Montville Plastics & Rubber, Inc.*, 121 Ohio St.3d 124, 2009-Ohio-360, 902 N.E.2d 482.

MOYER, C.J., and PFEIFER, O'CONNOR, LANZINGER, and CUPP, JJ., concur.

LUNDBERG STRATTON and O'DONNELL, JJ., dissent for the reasons stated in the dissenting opinion in *Thorton v. Montville Plastics & Rubber, Inc.*, 121 Ohio St.3d 124, 2009-Ohio-360, 902 N.E.2d 482.

Willacy, LoPresti & Marcovy and Aubrey B. Willacy, for appellant.

Richard Cordray, Attorney General, Benjamin C. Mizer, Solicitor General, Elise Porter, Assistant Solicitor, and Virginia E. Fisher, Assistant Attorney General, for appellee Administrator, Bureau of Workers' Compensation.
