

[Cite as *State ex rel. Tolle v. Spherion of Mid-Ohio, Inc.*, 150 Ohio St.3d 182, 2017-Ohio-2923.]

**THE STATE EX REL. TOLLE, APPELLEE, v. SPHERION OF MID-OHIO, INC.,  
ET AL., APPELLANTS.**

[Cite as *State ex rel. Tolle v. Spherion of Mid-Ohio, Inc.*, 150 Ohio St.3d 182,  
2017-Ohio-2923.]

*Court of appeals' judgment affirmed on the authority of State ex rel. Cordell v.  
Pallet Cos., Inc.*

(No. 2015-1717—Submitted April 4, 2017—Decided May 23, 2017.)

APPEAL from the Court of Appeals for Franklin County,  
No. 14AP-717, 2015-Ohio-3593.

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{¶ 1} The judgment of the court of appeals is affirmed on the authority of  
*State ex rel. Cordell v. Pallet Cos., Inc.*, 149 Ohio St.3d 483, 2016-Ohio-8446, 75  
N.E.3d 1230.

O'CONNOR, C.J., and FRENCH, O'NEILL, FISCHER, and DEWINE, JJ., concur.

O'DONNELL and KENNEDY, JJ., dissent and would schedule oral argument  
and issue a ruling on the merits following oral argument.

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Badnell & Dick Co., L.P.A., and Kelly L. Badnell, for appellee.

Lee M. Smith & Associates Co., L.P.A., and Elizabeth P. Weeden, for  
appellant Spherion of Mid-Ohio, Inc.

Michael DeWine, Attorney General, and Kevin J. Reis, Assistant Attorney  
General, for appellant Industrial Commission.

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