

[Cite as *State ex rel. Ferguson v. Natl. Mach.*, 128 Ohio St.3d 242, 2011-Ohio-528.]

**THE STATE EX REL. FERGUSON, APPELLANT, v. NATIONAL
MACHINERY ET AL., APPELLEES.**

**[Cite as *State ex rel. Ferguson v. Natl. Mach.*,
128 Ohio St.3d 242, 2011-Ohio-528.]**

Workers' compensation — Court of appeals' judgment affirmed.

(No. 2009-2359 — Submitted January 18, 2011 — Decided February 9, 2011.)

APPEAL from the Court of Appeals for Franklin County,

No. 08AP-902, 2009-Ohio-6193.

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

O'CONNOR, C.J., and PFEIFER, LUNDBERG STRATTON, O'DONNELL, CUPP, and MCGEE BROWN, JJ., concur.

LANZINGER, J., not participating.

Gallon, Takacs, Boissoneault & Schaffer Co., L.P.A., and Theodore A. Bowman, for appellant.

Michael DeWine, Attorney General, and John R. Smart, Assistant Attorney General, for appellee Industrial Commission of Ohio.
