

[Cite as *State ex rel. Arnott v. Indus. Comm.*, 90 Ohio St.3d 72, 2000-Ohio-21.]

THE STATE EX REL. ARNOTT, APPELLANT, v. INDUSTRIAL COMMISSION OF OHIO,
APPELLEE.

[Cite as *State ex rel. Arnott v. Indus. Comm.* (2000), 90 Ohio St.3d 72.]

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

(No. 00-178 — Submitted July 25, 2000 — Decided September 20, 2000.)

APPEAL from the Court of Appeals for Franklin County, No. 98AP-1457.

Dominic J. Fallon and Christine Fallon Good, for appellant.

Betty D. Montgomery, Attorney General, and *Kimberly M. Connett*,
Assistant Attorney General, for appellee.

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, JJ., concur.

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

LUNDBERG STRATTON, J., dissenting. I dissent and would affirm the judgment of the court of appeals.

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