

THE STATE EX REL. ROMAN, APPELLANT AND CROSS-APPELLEE, v. BUELL

INDUSTRIES, INC.; INDUSTRIAL COMMISSION, APPELLEE AND CROSS-APPELLANT.

[Cite as *State ex rel. Roman v. Buell Industries, Inc.* (1998), ___ Ohio St.3d ____.]

Workers' compensation — Court of appeals' judgment affirmed.

(No. 96-426 — Submitted June 9, 1998 — Decided July 22, 1998.)

APPEAL and CROSS-APPEAL from the Court of Appeals for Franklin County, No.

95APD03-269.

Seaman & Associates Co., L.P.A., and Melanie V. Miguel, for appellant and cross-appellee.

Betty D. Montgomery, Attorney General, and *Constance A. Snyder*, Assistant Attorney General, for appellee and cross-appellant.

The judgment of the court of appeals is affirmed consistent with the opinion of the court of appeals.

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY and LUNDBERG STRATTON, JJ., concur.

PFEIFER and COOK, JJ., dissent.