

**[Cite as *State ex rel. Eagle-Picher Industries, Inc. v. Indus. Comm.*,
92 Ohio St.3d 537, 2001-Ohio-1277]**

**THE STATE EX REL. EAGLE-PICHER INDUSTRIES, INC., APPELLEE, v.
INDUSTRIAL COMMISSION OF OHIO, APPELLEE; WILLIAMS, APPELLANT.
[Cite as *State ex rel. Eagle-Picher Industries, Inc. v. Indus. Comm.* (2001), 92
Ohio St.3d 537.]**

Workers' compensation — Court of appeals' judgment affirmed.

(No. 00-2113 — Submitted June 20, 2001 — Decided August 15, 2001.)

APPEAL from the Court of Appeals for Franklin County, No. 99AP-1069.

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

MOYER, C.J., PFEIFER, COOK and LUNDBERG STRATTON, JJ., concur.

DOUGLAS, RESNICK and F.E. SWEENEY, JJ., dissent.

ALICE ROBIE RESNICK, J., dissenting. I would reverse the judgment of the court of appeals.

DOUGLAS and F.E. SWEENEY, JJ., concur in the foregoing dissenting opinion.

Bricker & Eckler, L.L.P., Bobbie S. Sprader and Thomas R. Sant, for appellee Eagle-Picher Industries, Inc.

Betty D. Montgomery, Attorney General, and William J. McDonald, Assistant Attorney General, for appellee Industrial Commission of Ohio.

Law Offices of Thomas Tootle Co., L.P.A., and Thomas Tootle, for appellant.
