NOTICE

This slip opinion is subject to formal revision before it is published in an advance sheet of the Ohio Official Reports. Readers are requested to promptly notify the Reporter of Decisions, Supreme Court of Ohio, 65 South Front Street, Columbus, Ohio 43215, of any typographical or other formal errors in the opinion, in order that corrections may be made before the opinion is published.

SLIP OPINION NO. 2011-OHIO-4895

THE STATE EX REL. DAIMLER CHRYSLER, APPELLANT, v. INDUSTRIAL COMMISSION OF OHIO ET AL., APPELLEES.

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State ex rel. Daimler Chrysler v. Indus. Comm.*, Slip Opinion No. 2011-Ohio-4895.]

Workers' compensation — Court of appeals' judgment affirmed.

(No. 2009-2058 — Submitted August 8, 2011 — Decided September 28, 2011.)

APPEAL from the Court of Appeals for Franklin County,

No. 08AP-1017, 2009-Ohio-5778.

{¶ **1}** The judgment of the court of appeals is affirmed.

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

Larrimer and Larrimer, and Thomas L. Reitz, for appellant.

Coolidge Wall Co., L.P.A., David C. Korte, Michelle D. Bach and Joshua R. Lounsbury, for appellee Daimler Chrysler Corp.

Mike DeWine, Attorney General, and LaTawnda Moore, Assistant Attorney General, for appellee Industrial Commission of Ohio.