

**THE STATE EX REL. CINCINNATI, INC., APPELLANT, v.
LOWE ET AL., APPELLEES.**

**[Cite as *State ex rel. Cincinnati, Inc. v. Lowe*,
109 Ohio St.3d 80, 2006-Ohio-1927.]**

Workers' compensation — Court of appeals' judgment affirmed.

(No. 2005-0546 — Submitted March 14, 2006 — Decided May 3, 2006.)

APPEAL from the Court of Appeals for Franklin County,
No. 04AP-241, 2005-Ohio-516.

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

MOYER, C.J., RESNICK, PFEIFER, LUNDBERG STRATTON, O'CONNOR, O'DONNELL and LANZINGER, JJ., concur.

Dinsmore & Shohl, L.L.P., Gary E. Becker, and Theresa M. Muhic, for appellant.

Weisser & Wolf and Lisa M. Clark, for appellee Robert W. Lowe.

Jim Petro, Attorney General, and Kevin J. Reis, Assistant Attorney General, for appellee Industrial Commission of Ohio.
