

THE STATE EX REL. ARCHER, APPELLANT, v. T. MARZETTI COMPANY ET AL.; INDUSTRIAL  
COMMISSION OF OHIO ET AL., APPELLEES.

[Cite as *State ex rel. Archer v. T. Marzetti Co.* (2000), 87 Ohio St.3d 453.]

*Workers' compensation — Court of appeals' judgment affirmed.*

(No. 99-885 — Submitted November 16, 1999 — Decided January 12, 2000.)

APPEAL from the Court of Appeals for Franklin County, No. 98AP-472.

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*Butkovich, Schimpf, Schimpf & Ginocchio Co., L.P.A., James A. Whittaker and  
Glenn P. Fette*, for appellant.

*Betty D. Montgomery*, Attorney General, and *Steven P. Fixler*, Assistant Attorney  
General, for appellees Industrial Commission and Administrator, Ohio Bureau of  
Workers' Compensation.

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

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

F.E. SWEENEY, J., dissents and would reverse the judgment of the court of appeals.