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| State of Ohio | Case No. 2006-1529 |
| v. | JUDGMENT ENTRY |
| Paul Fairbanks | APPEAL FROM THE COURT OF APPEALS |

This cause, here on appeal from the Court of Appeals for Ross County, was considered in the manner prescribed by law. On consideration thereof, the judgment of the court of appeals is reversed and the judgment of the trial court is reinstated, consistent with the opinion rendered herein.

It is further ordered that costs are assessed pursuant to S.Ct.Prac.R XI(5) and that a mandate be sent to the Court of Common Pleas for Ross County to carry this judgment into execution and that a copy of this entry be certified to the Clerk of the Court of Appeals for Ross County for entry.

(Ross County Court of Appeals; No. 05CA2870)

THOMAS J. MOYER
Chief Justice