Western Rogers	Case No. 2007-0684
v.	JUDGMENT ENTRY
City of Dayton et al.	CERTIFIED CONFLICT FROM THE COURT OF APPEALS

This cause, here on a certification of a conflict by the Court of Appeals for Montgomery County, was considered in the manner prescribed by law. On consideration thereof, the judgment of the court of appeals is reversed and judgment is entered in favor of appellant, consistent with the opinion rendered herein.

It is further ordered that a mandate be sent to the Court of Appeals for Montgomery County by certifying a copy of this judgment entry and filing it with the Clerk of the Court of Appeals for Montgomery County.

(Montgomery County Court of Appeals; No. 21593)

THOMAS J. MOYER
Chief Justice