

Diazonia Benton

Case No. 2008-1949

v.

E N T R Y

Hamilton County Education [sic] Service
Center and Administrator, [Ohio] Bureau
of Workers' Compensation

This cause is pending before the Court on the certification of a conflict by the Court of Appeals for Hamilton County. On review of the order certifying a conflict,

It is determined that a conflict exists. The parties are to brief the issue stated in the court of appeals' Entry filed September 18, 2008, as follows:

“Whether the refusal by the Industrial Commission of Ohio to exercise continuing jurisdiction to make a finding of fraud is a right to participate issue under R.C. 4123.512?”

It is ordered by the Court, sua sponte, that this cause is consolidated with Supreme Court Case No. 2008-1946, *Benton v. Hamilton Cty. Educational Serv. Ctr.*

It is further ordered by the Court that the briefing in Case Nos. 2008-1946 and 2008-1949 shall be consolidated. The parties shall file two originals of each of the briefs permitted under S.Ct.Prac.R. VI and include both case numbers on the cover page of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. VI.

It is further ordered by the Court that the Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Hamilton County.

(Hamilton County Court of Appeals; No. C070223)

THOMAS J. MOYER
Chief Justice