

Appellant State Farm Mutual Automobile Insurance Company hereby gives Notice of its Appeal to the Supreme Court of Ohio from the Judgment of the Montgomery County Court of Appeals, Second Appellate District, entered in Case No. 21593, on February 16, 2007, styled Western Rogers v. City of Dayton, et al.

This is a discretionary appeal that raises an issue of public or great general interest.

Respectfully submitted,

GALLAGHER, GAMS, PRYOR,
TALLAN & LITTRELL L.L.P.

By: 
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Notice of Appeal was served upon John Musto, Patrick J. Bonfield and John J. Danish, Attorneys for the City of Dayton, 101 West Third Street, P.O. Box 22, Dayton, Ohio 45401 by regular U.S. Mail, postage prepaid this 27th day of March, 2007.


MARK H. GAMS (0025362)
Attorney for Appellant, State Farm
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COURT OF APPEALS

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COURT OF APPEALS
MONTGOMERY CO., OHIO

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IN THE COURT OF APPEALS FOR MONTGOMERY COUNTY, OHIO

WESTERN ROGERS :

Plaintiff-Appellant :

C.A. CASE NO. 21593

v. :

T.C. NO. 04 CV 2716

CITY OF DAYTON, et al. :

(Civil Appeal from
Common Pleas Court)

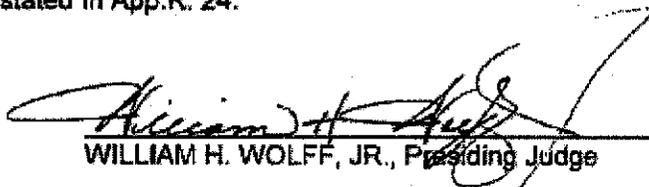
Defendants-Appellees :

FINAL ENTRY

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Pursuant to the opinion of this court rendered on the 16th day
of February, 2007, the judgment of the trial court is **Affirmed**.

Costs to be paid as stated in App.R. 24.


WILLIAM H. WOLFF, JR., Presiding Judge


MIKE FAIN, Judge

MARY E. DONOVAN, Judge

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Hon. Jeffrey E. Froelich
Common Pleas Court
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Dayton, Ohio 45422