

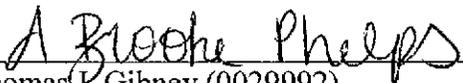
Notice of Appeal of Chrysler LLC

Appellant Chrysler LLC, formerly known as DaimlerChrysler Corporation, hereby gives notice of appeal to the Supreme Court of Ohio from the judgment of the Franklin County Court of Appeals, Tenth Appellate District, entered in State of Ohio, *ex rel.* DaimlerChrysler Corporation v. Industrial Commission, *et al.*, Court of Appeals Case No. 06AP-968 on September 18, 2007.

This case originated in the court of appeals and is, therefore, an appeal of right pursuant to S.Ct. Prac. R. II §1(A)(1).

Respectfully submitted,

EASTMAN & SMITH LTD.


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P.O. Box 10032
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Attorneys for Appellant
Chrysler LLC

PROOF OF SERVICE

A copy of the foregoing *Notice of Appeal* has been sent by ordinary U.S. Mail this 1st day of November, 2007 to John R. Polofka, Esq., Polofka and Van Berkom, 500 Madison Avenue, Suite 605, Toledo, Ohio 43604, attorney for appellee Kathleen E. Moran; and to Andrew Alatis, Esq., Assistant Attorney General, Workers' Compensation Section, 150 East Gay Street, 22nd Floor, Columbus, Ohio 43215, attorney for appellee Industrial Commission of Ohio.



Attorney for Appellant
Chrysler LLC

20029115

IN THE COURT OF APPEALS OF OHIO
TENTH APPELLATE DISTRICT

CLERK OF COURTS
10:30:50

State of Ohio ex rel.
DaimlerChrysler Corporation,

Relator,

v.

No. 06AP-968

Industrial Commission of Ohio
and Kathleen E. Moran,

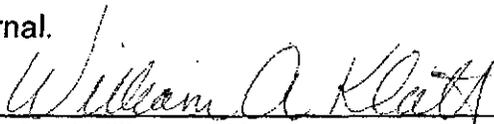
Respondents.

(REGULAR CALENDAR)

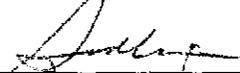
JUDGMENT ENTRY

For the reasons stated in the decision of this court rendered herein on September 18, 2007, the decision of the magistrate is approved and adopted by this court, and it is the judgment and order of this court that the requested writ of mandamus is denied. Costs assessed against relator.

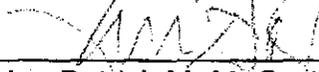
Within three (3) days from the filing hereof, the clerk of this court is hereby ordered to serve upon all parties not in default for failure to appear notice of this judgment and its date of entry upon the journal.



Judge William A. Klatt



Judge Lisa L. Sadler, Presiding Judge



Judge Patrick M. McGrath

ON COMPUTER 12

IN THE COURT OF APPEALS OF OHIO
TENTH APPELLATE DISTRICT

FILED
COURT OF APPEALS
FRANKLIN COUNTY
2007 SEP 18 PM 2:49
CLERK OF COURTS

State of Ohio ex rel.
DaimlerChrysler Corporation,

Relator,

v.

Industrial Commission of Ohio
and Kathleen E. Moran,

Respondents.

No. 06AP-968

(REGULAR CALENDAR)

D E C I S I O N

Rendered on September 18, 2007

Eastman & Smith LTD., Thomas J. Gibney and A. Brooke Phelps, for relator.

Marc Dann, Attorney General, and Andrew J. Alatis, for respondent Industrial Commission of Ohio.

Polofka & Van Berkomp, John R. Polofka and Trevor P. Van Berkomp, for respondent Kathleen E. Moran.

IN MANDAMUS
ON OBJECTIONS TO THE MAGISTRATE'S DECISION

KLATT, J.

{¶1} Relator, DaimlerChrysler Corporation, commenced this original action in mandamus seeking an order compelling respondent, Industrial Commission of Ohio ("commission"), to vacate its order denying relator's March 20, 2006 motion to terminate