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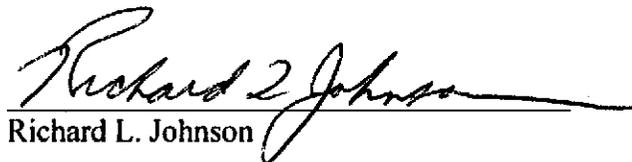
Notice of Appeal of Appellant The Shelly Company

Appellant The Shelly Company 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 Court of Appeals Case No. 06AP-596 on October 12, 2007.

This case originated in the Court of Appeals.

Respectfully submitted,

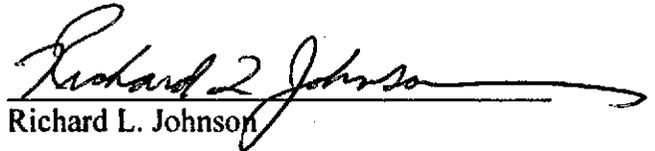
EASTMAN & SMITH LTD.


Richard L. Johnson

COUNSEL FOR APPELLANT,
THE SHELLY COMPANY

CERTIFICATE OF SERVICE

I certify that a copy of this Notice of Appeal was sent by ordinary U.S. Mail to counsel for appellees, Edward D. Murray, Esq., Krugliak, Wilkins, Griffiths & Dougherty Co., L.P.A., 4775 Munson Street, N.W., P.O. Box 36963, Canton, Ohio 44735-6963, and Stephen D. Plymale, Assistant Attorney General, Workers' Compensation Section, 150 E. Gay Street, 22nd Floor, Columbus, Ohio 43215-3130, on November 21, 2007.


Richard L. Johnson

COUNSEL FOR APPELLANT,
THE SHELLY COMPANY

10/19/07

IN THE COURT OF APPEALS OF OHIO

20153E13

TENTH APPELLATE DISTRICT

FILED
COURT OF APPEALS
FRANKLIN CO OHIO

2007 OCT 12 PM 2:42

State of Ohio ex rel. The Shelly Company, :
Successor to S.E. Johnson Companies, :
Inc., :

CLERK OF COURTS

Relator, :

v. :

No. 06AP-596

Christine Steigerwald, Surviving Spouse of :
David J. Steigerwald, Deceased and :
Industrial Commission of Ohio, :

(REGULAR CALENDAR)

Respondents. :

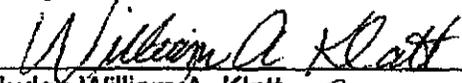
JUDGMENT ENTRY

For the reasons stated in the decision of this court rendered herein on October 4, 2007, the objections to the decision of the magistrate are overruled, the decision of the magistrate is approved and adopted by the court as its own, and it is the judgment and order of this court that the requested writ of mandamus is denied. Costs shall be 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 Patrick M. McGrath



Judge William A. Klatt



Judge Alba Whiteside

WHITESIDE, J., retired of the Tenth Appellate District, assigned to active duty under authority of Section 6(C), Article IV, Ohio Constitution.