

IN THE SUPREME COURT

State of Ohio ex rel. Robert Lowe, : **08-1954**  
Appellant, : On Appeal From the Franklin  
v. : County Court of Appeals,  
: Tenth Appellate District  
Cincinnati, Inc., et al., : (oral argument requested)  
Appellees. : Court of Appeals Case No. 07AP-850

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NOTICE OF APPEAL OF APPELLANT ROBERT LOWE

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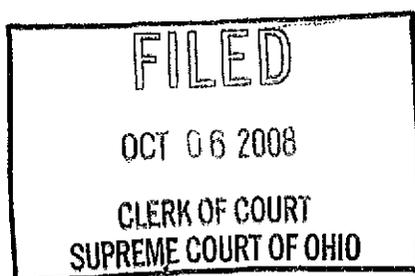
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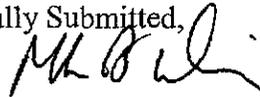


**NOTICE OF APPEAL OF APPELLANT ROBERT LOWE  
AND REQUEST FOR ORAL ARGUMENT**

Appellant, Robert Lowe, hereby gives notice of appeal to the Supreme Court of Ohio from a judgment of the Franklin County Court of Appeals, Tenth Appellate District, entered in Court of Appeals Case No. 07AP-850 on September 25, 2008.

This case originated in the Court of Appeals.

Respectfully Submitted,



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Mark B. Weisser  
Counsel for Appellant

**CERTIFICATION OF SERVICE**

I hereby certify that a copy of the Notice of Appeal was served upon the following individuals by ordinary U.S. mail, this the 3 day of October, 2008.

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Mark B. Weisser  
Counsel for Appellant

IN THE COURT OF APPEALS OF OHIO  
TENTH APPELLATE DISTRICT

FILED  
COURT OF APPEALS  
FRANKLIN CO. OHIO

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CLERK OF COURTS

State of Ohio ex rel. Robert Lowe, :

Relator, :

v. :

No. 07AP-850

Cincinnati, Inc. and  
Industrial Commission of Ohio, :

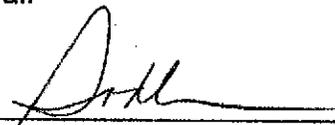
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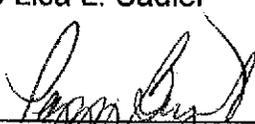
Respondents. :

JUDGMENT ENTRY

For the reasons stated in the decision of this court rendered herein on September 25, 2008, the objections to the decision of the magistrate is 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.

  
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Judge Lisa L. Sadler

  
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Judge Peggy Bryant

  
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Judge Susan Brown