

IN THE SUPREME COURT OF OHIO

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| STATE ex rel. BRUCE BENNETT | : | CASE NO. 2008-1860 |
| Appellant, | : | |
| -vs- | : | On Appeal from the Franklin |
| THE INDUSTRIAL COMMISSION | : | County Court of Appeals |
| OF OHIO, et al., | : | Tenth Appellate District |
| Appellees. | : | Court of Appeals |
| | : | Case No. 07AP-481 |

APPELLANT'S APPLICATION FOR DISMISSAL

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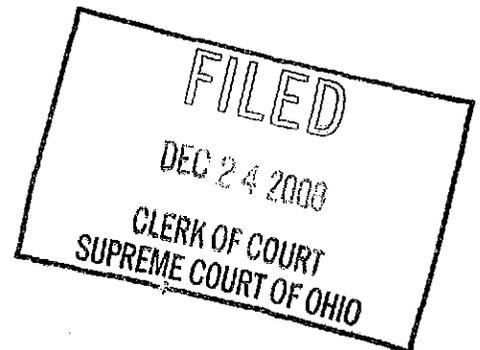
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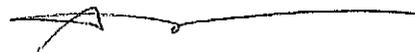
COUNSEL FOR APPELLEE, INDUSTRIAL COMMISSION OF OHIO



Appellant BRUCE BENNETT, by and through the undersigned counsel, hereby applies to this Honorable Court for dismissal of the above-captioned action. This case originated as a mandamus action in the Tenth District Court of Appeals, and was appealed from a judgment entry of the Franklin County Court of Appeals, Tenth Appellate District, entered in Court of Appeals case No. 07AP-481, on August 28, 2008. Appellant and Appellees have come to a settlement of their dispute, and hence, there is no controversy between them. Further, Appellee does not oppose dismissal.

WHEREFORE, Appellant submits that this appeal should be dismissed.

Respectfully Submitted,



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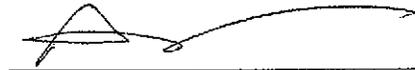
Counsel for Appellant,
Bruce Bennett.

CERTIFICATE OF SERVICE

A copy of the foregoing Application for Dismissal was sent by ordinary U.S. mail this 23rd day of December, 2008, to:

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