

ORIGINAL

In the
Supreme Court of Ohio

STATE OF OHIO, ex rel.	:	Case No. 09-0659
JEFF T. ROHR,	:	
	:	
Relator,	:	Answer of Respondent, Industrial
	:	Commission of Ohio
vs.	:	
	:	
INDUSTRIAL COMMISSION OF OHIO,	:	
et al.,	:	
	:	
Respondents.	:	

Now comes the Respondent, Industrial Commission of Ohio, and hereby answers the Relator's Complaint as follows:

1. The Respondent admits the allegations set forth in paragraphs 1, 2, 4, 5, 6, 7, 10, 11, 13 and 16 of the Complaint.

2. The Respondent denies that Relator sustained any injuries in the course of and arising out of his employment, other than the allowed conditions set forth in paragraph 3 of the Complaint and admits the remaining allegations set forth in paragraph 3 of the Complaint.

3. The Respondent admits the orders of the Industrial Commission of Ohio set forth in paragraphs 8, 9, 12, and 14 of the Complaint.

4. The Respondent denies the allegations set forth in paragraphs 15, 17, 18, and 19 of the Complaint.

5. The Respondent denies each and every other allegation contained in the Complaint, which is not specifically admitted herein.

FILED
MAY 05 2009
CLERK OF COURT
SUPREME COURT OF OHIO

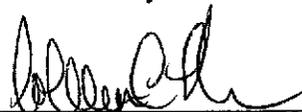
DEFENSES

6. The Complaint fails to state a claim upon which relief can be granted.
7. Relator has failed to exhaust administrative remedies.
8. Relator has no clear legal right to the relief requested.
9. Relator has an adequate remedy at law.
10. Relator reserves the right to assert affirmative defenses to the extent such defenses are discovered during the course of this litigation.

WHEREFORE, the Respondent prays that Relator's request for the issuance of a writ of prohibition be denied.

Respectfully submitted,

RICHARD CORDRAY
Ohio Attorney General



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Counsel for Respondent,
Industrial Commission of Ohio

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer of Respondent, Industrial Commission of Ohio, was sent by regular U.S. mail, postage prepaid, on this 5th day of May, 2009 to:

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