

IN THE
SUPREME COURT OF OHIO

VISITING NURSE ASSOCIATION)
OF MID-OHIO,)
)
Appellant,)
)
v.)
)
TAMARA FRIEBEL, *et al.*,)
)
Appellees.)

CASE NO.: 2013-0892

On Appeal from the Richland County
Court of Appeals, Fifth Appellate
District – Case No.: 2012-CA-56

**APPELLANT VISITING NURSE ASSOCIATION OF MID-OHIO'S BRIEF IN SUPPORT
OF ADMINISTRATOR, OHIO BUREAU OF WORKERS' COMPENSATION
MOTION TO REALIGN AS APPELLANT**

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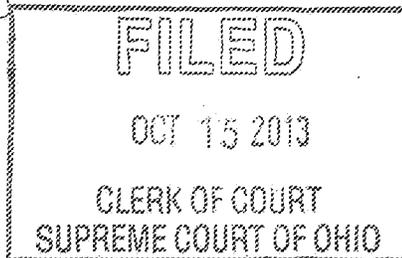
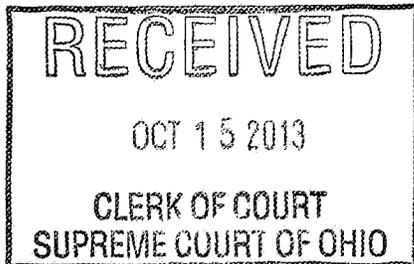
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**VISITING NURSE ASSOCIATION OF MID-OHIO'S BRIEF IN SUPPORT
OF ADMINISTRATOR, OHIO BUREAU OF WORKERS' COMPENSATION
MOTION TO REALIGN AS APPELLANT**

Appellant Visiting Nurse Association of Mid-Ohio ("VNA") respectfully supports and joins the Administrator, Ohio Bureau Of Workers' Compensation ("Administrator") in its motion to realign as an Appellant in this matter. See, generally, *McCrone v. Bank One Corp.*, 105 Ohio St. 3d 1444, 2005 Ohio 669, 822 N.E.2d 1261, the Supreme Court of Ohio granted appellee, Bank One Corporation's, motion to realign for purposes of oral argument. See, also, *Pilkington N. Am., Inc. v. Travelers Cas. & Sur. Co.*, 107 Ohio St. 3d 1430, 2005-Ohio-6370, 838 N.E.2d 670. VNA and the Administrator, while they may not have identical arguments, both agree that the Fifth Appellate District's Decision was erroneous on both grounds accepted for review by this Court. Furthermore, "the Administrator is duty bound to advise the Court of errors of law which adversely affect the meaning and application of Ohio's workers' compensation law regardless of how the parties may have been positioned in prior proceedings" and he seeks reversal of the underlying proceedings. Realignment of the Administrator as an Appellant will insure that Friebel is able to respond to both VNA's and the Administrator's briefs and permit this Court to more logically review the parties' positions.

CONCLUSION

For all of the foregoing reasons, the Administrator's motion to realign as an Appellant should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'MARCOVY', written over a horizontal line.

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CERTIFICATE OF SERVICE

A copy of the foregoing Brief in Support has been served this 11th day of October 2013,

by ordinary mail, upon:

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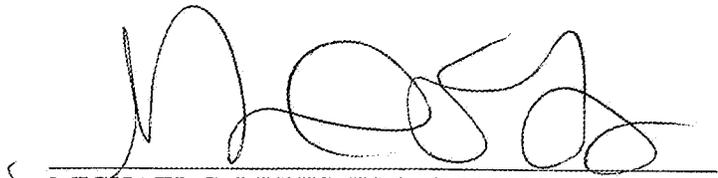
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