

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

WEDNESDAY
December 16, 1998

DISCIPLINARY DOCKET

97-1285. Disciplinary Counsel v. Kraig.

On petition for reinstatement. Petition granted.

98-2207. In re Enforcement of Subpoena Duces Tecum Directed to Custodian of Records, Wallaby's, Inc.

On October 21, 1998, movant, the Ohio State Bar Association, filed a motion requesting this court to order the Custodian of Records of Wallaby's, Inc. to appear before the court to show cause why that person and Wallaby's, Inc. have failed to obey subpoenas *duces tecum* issued by the Board of Commissioners on Grievances and Discipline. On November 23, 1998, movant filed notice of action respondent has taken to purge itself of contempt. Upon consideration thereof,

IT IS ORDERED by this court that the movant be awarded all costs and fees, including reasonable attorney fees, that the movant incurs in prosecuting this enforcement proceeding.

IT IS FURTHER ORDERED, *sua sponte*, that all documents filed with this court in this case shall meet the filing requirements set forth in the Rules of Practice of the Supreme Court of Ohio, including requirements as to form, number, and timeliness of filings.

98-2208. In re Enforcement of Subpoena Duces Tecum Directed to Peh.

On October 21, 1998, movant, the Ohio State Bar Association, filed a motion requesting this court to order Tony Peh to appear before the court to show cause why he failed to obey a subpoena *duces tecum* issued by the Board of Commissioners on Grievances and Discipline. On November 23, 1998, movant filed notice of action respondent has taken to purge itself of contempt. Upon consideration thereof,

IT IS ORDERED by this court that the movant be awarded all costs and fees in this action, including reasonable attorney fees, that the movant incurs in prosecuting this enforcement proceeding.

IT IS FURTHER ORDERED, *sua sponte*, that all documents filed with this court in this case shall meet the filing requirements set forth in the Rules of Practice of the Supreme Court of Ohio, including requirements as to form, number, and timeliness of filings.

MISCELLANEOUS DOCKET

**BEFORE THE COMMISSION OF FIVE JUDGES
APPOINTED BY
THE SUPREME COURT OF OHIO**

In re Judicial Campaign Complaint
Against Elizabeth Burick

Case No. 98-2266

**AMENDED
INTERIM ORDER**

Pursuant to Rule II, Section 5(E)(1) of the Supreme Court Rules for the Government of the Judiciary of Ohio, the five-judge commission appointed to consider the above-cited matter met by telephone conference on November 30, 1998.

The five-judge commission determines that an interim order should issue to the parties ordering the complainant's attorneys to file their requested attorney fees and deposition costs and accompanying affidavit in accordance with DR 2-106. The attorney fees are to be itemized by date, time, and service performed with the hourly rate charged, and the affidavit of the complainant's attorneys shall

address each of the items stated in DR 2-106(B). The attorney's fees affidavit and deposition costs are to be filed on or before December 30, 1998. On or before January 8, 1999, the respondent may file a response to the complainant's affidavit. The complainant's affidavit and the respondent's reply shall be filed in the manner set forth in the Supreme Court's order of October 27, 1998 appointing the five-judge commission with a copy served on opposing counsel.

The five-judge commission will determine the reasonableness and necessity of the attorney fees and deposition costs requested by complainant based on the pleadings before the commission at that time. Thereafter, the final order of the five-judge commission shall issue pursuant to Rule II, Section 5(E)(1) of the Supreme Court Rules for the Government of the Judiciary of Ohio.

BY ORDER OF THE COMMISSION.

Richard A. Dove
Secretary to the Commission
Dated: December 16, 1998