

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

April 5, 2002

MISCELLANEOUS ORDERS

The Supreme Court of Ohio has issued orders imposing sanctions upon forty-two attorneys for noncompliance with the requirements of Gov. Bar R. X, Attorney Continuing Legal Education. The text of the entry imposing the sanction is reproduced below. This is followed by a list of the attorneys who were sanctioned. The list includes each attorney's Attorney Registration Number; the county and state of residence and the county and state of the attorney's employer, as last registered with the Office of Attorney Registration; and the amount of the sanction fee imposed by the Supreme Court.

In re Report of the Commission
on Continuing Legal Education.

[Name of Attorney]
(#[Attorney Registration No.]),
Respondent.

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O R D E R
[Filed April 5, 2002]

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the "commission") pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1999-2000 reporting period.

The commission's report recommended imposition of a sanction against the respondent in the total amount of \$[] for noncompliance in the 1999-2000 reporting period. Furthermore, the commission's report recommended that the respondent be suspended from the practice of law pursuant to Gov. Bar R. X(5)(A)(4), for failure to pay a previous court ordered sanction for noncompliance in a previous reporting period in addition to noncompliance in the 1999-2000 reporting period. On November 14, 2001, this court issued to the respondent an order to show cause why the commission's recommendation should not be adopted and an order so entered against the respondent. Respondent filed no objections to the commission's recommendation and this cause was considered by the court. Upon consideration thereof,

IT IS ORDERED by the court that the recommendation of the commission is adopted and respondent is immediately suspended from the practice of law pursuant to Gov.Bar R. X(6)(B)(3), and Gov.Bar R. X(5)(A)(4), until respondent is reinstated by order of this Court pursuant to Gov.Bar R. X(7).

IT IS FURTHER ORDERED that, within thirty days of the date of this order, respondent shall pay to the Commission on Continuing Legal Education, by certified check, bank check or money order, a sanction fee which is hereby imposed in the total amount of \$[].

IT IS FURTHER ORDERED that, payment of the sanction fee notwithstanding, respondent shall comply with the requirements imposed by Gov. Bar R. X for the 1999-2000 reporting period. See CLE Reg. 503.4.

IT IS FURTHER ORDERED that respondent immediately cease and desist from the practice of law in any form and is hereby forbidden to appear on behalf of another before any court, judge, commission, board, administrative agency, or other public authority.

IT IS FURTHER ORDERED that respondent is hereby forbidden to counsel or advise or prepare legal documents for others or in any manner perform such services.

IT IS FURTHER ORDERED that respondent is hereby divested of each, any, and all of the rights, privileges, and prerogatives customarily accorded to a member in good standing of the legal profession of Ohio.

IT IS FURTHER ORDERED that respondent surrender forthwith respondent's certificate of admission to practice law and attorney registration card to the Clerk of this court on or before thirty days from the date of this order, and that respondent's name be stricken from the roll of attorneys maintained by this court.

IT IS FURTHER ORDERED that, pursuant to Gov.Bar R. X(3)(G), respondent shall complete one credit hour of continuing legal education for each month, or portion of a month, of the suspension. As part of the total credit hours of continuing legal education required by Gov.Bar R. X(3)(G), respondent shall complete one credit hour of instruction related to professional conduct required by Gov.Bar R. X(3)(A)(1), for each six months, or portion of six months, of the suspension.

IT IS FURTHER ORDERED that respondent shall not be reinstated to the practice of law in Ohio until (1) respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7), (2) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio; (3) respondent complies with this and all other orders of the court; and (4) this court orders respondent reinstated.

IT IS FURTHER ORDERED that, within thirty days of the date of this order, respondent shall:

1. Notify all clients being represented in pending matters and any co-counsel of respondent's suspension and consequent disqualification to act as an attorney after the effective date of this order and, in the absence of co-counsel, also notify the clients to seek legal service elsewhere, calling attention to any urgency in seeking the substitution of another attorney in respondent's place;

2. Regardless of any fees or expenses due respondent, deliver to all clients being represented in pending matters any papers or other property pertaining to the client, or notify the clients or co-counsel, if any, of a suitable time and place where the papers or other property may be obtained, calling attention to any urgency for obtaining such papers or other property;

3. Refund any part of any fees or expenses paid in advance that are unearned or not paid, and account for any trust money or property in the possession or control of respondent;

4. Notify opposing counsel in pending litigation or, in the absence of counsel, the adverse parties, of respondent's disqualification after the effective date of this order, and file a notice of disqualification of respondent with the court or agency before which the litigation is pending for inclusion in the respective file or files;

5. Send all notices required by this order by certified mail with a return address where communications may thereafter be directed to respondent;

6. File with the Clerk of this court and the Disciplinary Counsel of the Supreme Court an affidavit showing compliance with this order, showing proof of service of notices required herein, and setting forth the address where the affiant may receive communications; and

7. Retain and maintain a record of the various steps taken by respondent pursuant to this order.

IT IS FURTHER ORDERED that respondent shall keep the Clerk of this court and the Disciplinary Counsel advised of any change of address where respondent may receive communications.

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.

IT IS FURTHER ORDERED by the court that the Clerk shall send this order by certified mail to the respondent at the business address registered with the Clerk under Gov.Bar R. VI; that, if this order is returned as undeliverable or unclaimed, the Clerk shall resend it by regular mail to the respondent at the residence address registered with the Clerk; and that service of this order in accordance with the foregoing shall be deemed effective service.

IT IS FURTHER ORDERED that, pursuant to Gov.Bar R. X(6)(H), the Clerk of this court send certified copies of this order to those persons or organizations named in Gov.Bar R. V(8)(D)(1), and that publication be made as required under Gov.Bar R. X(6)(H).

<u>Attorney Name</u>	<u>Registration #</u>	<u>Residence</u>		<u>Employer</u>		<u>Sanction Amount</u>
		<u>County</u>	<u>State</u>	<u>County</u>	<u>State</u>	
Robert Lee Moore Jr.	0056203		TX			\$750.00
Nanci Ellen Pongracz	0013315	Cuyahoga	OH			\$750.00
Arthur Wallace Moore	0022814	Franklin	OH			\$750.00
Theodore Jay Murphy Jr.	0022918	Franklin	OH			\$610.00

Melissa Liane Mong	0067727		IL		IL	\$750.00
Donald Lynn Richardson	0059046		KY		KY	\$400.00
Rita Page Reuss	0039471		MN		MN	\$750.00
Oscar Wilson Jr.	0025449		WI		WI	\$600.00
Leslie Holden Rauh	0063909	Butler	OH	Butler	OH	\$270.00
Richard Ward Sander	0002467	Cuyahoga	OH	Cuyahoga	OH	\$750.00
Clarence Elliott McLeod Jr.	0010313	Cuyahoga	OH	Cuyahoga	OH	\$750.00
William Lee Swain	0015482	Cuyahoga	OH	Cuyahoga	OH	\$750.00
Sylvia Marie Robinson	0059058	Cuyahoga	OH	Cuyahoga	OH	\$750.00
James Matthew Schober	0067436	Cuyahoga	OH	Cuyahoga	OH	\$750.00
Teresa Ruiz	0067477	Cuyahoga	OH	Cuyahoga	OH	\$750.00
Timothy Michael MacLean	0069346	Cuyahoga	OH	Cuyahoga	OH	\$250.00
Fred Lauverture Newsom Jr.	0027084	Franklin	OH	Franklin	OH	\$750.00
Valorie Gayle Schwarzmann	0063167	Franklin	OH	Franklin	OH	\$150.00
Diana Sue Mayes	0063308	Franklin	OH	Franklin	OH	\$750.00
Peter Ramsay Paniccia	0068370	Franklin	OH	Franklin	OH	\$750.00
Daniel Steven Ochstein	0040370	Hamilton	OH	Hamilton	OH	\$750.00
Craig Norman Winston	0059011	Hamilton	OH	Hamilton	OH	\$750.00
Helen Bransztet Mikus	0012343	Lorain	OH	Lorain	OH	\$490.00
Suzan Andrews MacHarg	0032741	Lucas	OH	Lucas	OH	\$750.00
Michael Donald Thomas	0003994	Montgomery	OH	Montgomery	OH	\$750.00
Susan Dee Wood	0030577	Geauga	OH	Portage	OH	\$750.00
John Sabath Zopff	0001725	Warren	OH	Warren	OH	\$600.00

In re Report of the Commission :
on Continuing Legal Education. :
: [Name of Attorney] :
: ([#Attorney Registration No.]), :
Respondent. :

O R D E R
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This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the "commission") pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov. Bar R. X, Attorney Continuing Legal Education, for the 1999-2000 reporting period.

The commission's report recommended imposition of a sanction against the respondent in the total amount of \$[] for noncompliance in the 1999-2000 reporting period. Furthermore, the commission's report recommended that the respondent be suspended from the practice of law pursuant to Gov.Bar R. X(5)(A)(4) for violation of Gov.Bar R. X for the third consecutive reporting period, and for continuous and ongoing noncompliance with Gov.Bar R. X during the last three reporting periods. On November 14, 2001, this court issued to the respondent an order to show cause why the commission's recommendation should not be adopted

and an order so entered against the respondent. Respondent filed no objections to the commission's recommendation and this cause was considered by the court. Upon consideration thereof,

IT IS ORDERED by the court that the recommendation of the commission is adopted and respondent is immediately suspended from the practice of law pursuant to Gov.Bar R. X(6)(B)(3), and Gov.Bar R. X(5)(A)(4), until respondent is reinstated by order of this court pursuant to Gov. Bar R. X(7).

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1. Notify all clients being represented in pending matters and any co-counsel of respondent's suspension and consequent disqualification to act as an attorney after the effective date of this order and, in the absence of co-counsel, also notify the clients to seek legal service elsewhere, calling attention to any urgency in seeking the substitution of another attorney in respondent's place;

2. Regardless of any fees or expenses due respondent, deliver to all clients being represented in pending matters any papers or other property pertaining to the client, or notify the clients or co-counsel, if any, of a suitable time and place where the papers or other property may be obtained, calling attention to any urgency for obtaining such papers or other property;

3. Refund any part of any fees or expenses paid in advance that are unearned or not paid, and account for any trust money or property in the possession or control of respondent;

4. Notify opposing counsel in pending litigation or, in the absence of counsel, the adverse parties, of respondent's disqualification after the effective date of this order, and file a notice of disqualification of respondent with the court or agency before which the litigation is pending for inclusion in the respective file or files;

5. Send all notices required by this order by certified mail with a return address where communications may thereafter be directed to respondent;

6. File with the Clerk of this court and the Disciplinary Counsel of the Supreme Court an affidavit showing compliance with this order, showing proof of service of notices required herein, and setting forth the address where the affiant may receive communications; and

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IT IS FURTHER ORDERED that, pursuant to Gov.Bar R. X(6)(H), the Clerk of this court send certified copies of this order to those persons or organizations named in Gov.Bar R. V(8)(D)(1), and that publication be made as required under Gov.Bar R. X(6)(H).

<u>Attorney Name</u>	<u>Registration #</u>	<u>Residence</u>		<u>Employer</u>		<u>Sanction</u>
		<u>County</u>	<u>State</u>	<u>County</u>	<u>State</u>	<u>Amount</u>
Lincoln Raphael Thorman	0023933	Cuyahoga	OH			\$750.00
Jill Burnet Whalen	0048367	Franklin	OH			\$750.00

Kenneth Albert Mines	0050396		IL		IL	\$750.00
Patricia Anne Decker	0063602		IN		IN	\$250.00
Frank Anthony Natale	0062215		PA		PA	\$350.00
Stanley Edward Williams	0026156		TX		TX	\$750.00
Patrice Renee Thompson						
Yarham	0014112	Cuyahoga	OH	Cuyahoga	OH	\$750.00
Michael Robert Spreng	0038110	Cuyahoga	OH	Cuyahoga	OH	\$600.00
Paul Anthony Monahan	0039337	Cuyahoga	OH	Cuyahoga	OH	\$750.00
Kenneth Louis Saunders	0049545	Franklin	OH	Franklin	OH	\$600.00
Brett David Shafran	0063662	Franklin	OH	Franklin	OH	\$750.00
Michael Lee Moushey	0033805	Hamilton	OH	Franklin	OH	\$750.00
John Michael Savage	0033307	Lucas	OH	Lucas	OH	\$750.00
Laura Wagner	0064111	Lucas	OH	Lucas	OH	\$270.00
Frank Charles Reale	0063614	Stark	OH	Stark	OH	\$750.00