

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

May 16, 2003

MERIT DECISIONS WITH OPINIONS

2001-1796. State ex rel. Ohio Treatment Alliance v. Paasewe, 2003-Ohio-2449.

Franklin App. No. 00AP-1444. Judgment reversed and writ allowed.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook, Lundberg Stratton and O'Connor, JJ., concur.

2002-0115. State ex rel. Timken Co. v. Kovach, 2003-Ohio-2450.

Franklin App. No. 01AP-167. Judgment affirmed.

Moyer, C.J., Resnick, Pfeifer, Cook, Lundberg Stratton and O'Connor, JJ., concur.

F.E. Sweeney, J., dissents.

2002-0355. State ex rel. Ackerman v. Indus. Comm., 2003-Ohio-2448.

Franklin App. No. 01AP-470. Judgment affirmed.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook, Lundberg Stratton and O'Connor, JJ., concur.

2002-0592. State ex rel. King v. Indus. Comm., 2003-Ohio-2451.

Franklin App. No. 01AP-651. Judgment affirmed in part, reversed in part, and decision of the Industrial Commission reinstated.

Moyer, C.J., F.E. Sweeney, Cook, Lundberg Stratton and O'Connor, JJ., concur.

Pfeifer, J., concurs in part and dissents in part.

Resnick, J., dissents.

2002-0852. State ex rel. Smith v. Indus. Comm., 2003-Ohio-2452.

Franklin App. No. 01AP-673, 2002-Ohio-2012. Judgment affirmed.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook, Lundberg Stratton and O'Connor, JJ., concur.

2002-1116. State ex rel. Hiatt v. Indus. Comm., 2003-Ohio-2453.

Franklin App. No. 01AP-979. Judgment affirmed.

Moyer, C.J., Pfeifer, Cook, Lundberg Stratton and O'Connor, JJ., concur.
Resnick and F.E. Sweeney, JJ., dissent.

2002-1207. State ex rel. Franks v. Indus. Comm., 2003-Ohio-2456.

Franklin App. No. 01AP-1220, 2002-Ohio-2807. Judgment reversed.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook, Lundberg Stratton and O'Connor, JJ., concur.

2002-1391. State ex rel. Am. Std., Inc. v. Boeher, 2003-Ohio-2457.

Franklin App. No. 01AP-1138, 2002-Ohio-3323. Judgment affirmed.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook, Lundberg Stratton and O'Connor, JJ., concur.

2002-1996. Disciplinary Counsel v. Webster, 2003-Ohio-2459.

On Certified Order of the Supreme Court of Rhode Island, No. 2001-477 M.P. John B. Webster is indefinitely suspended. See opinion.

Resnick, F.E. Sweeney, Cook, Lundberg Stratton and O'Connor, JJ., concur.
Moyer, C.J., and Pfeifer, J., dissent.

2002-2238. State ex rel. Fogle v. Carlisle, 2003-Ohio-2460.

Warren App. No. CA2002-09-097. Judgment affirmed.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Lundberg Stratton and O'Connor, JJ., concur.

Cook, J., dissents.

2002-2242. Yates v. Mansfield Bd. of Edn., 2003-Ohio-2461.

Richland App. No. 02CA27, 2002-Ohio-6311. Discretionary appeal allowed on Proposition of Law No. I; briefing to proceed. Discretionary appeal allowed on Proposition of Law No. II, judgment reversed, and cause remanded.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Lundberg Stratton and O'Connor, JJ., concur.

Cook, J., dissents.

2003-0054. Davis v. Dembek, 2003-Ohio-2462.

Franklin App. No. 01AP-1450, 2002-Ohio-6443. Discretionary appeal allowed, judgment reversed, and cause remanded. Discretionary cross-appeal denied.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer and Cook, JJ., concur.

Lundberg Stratton, J., dissents.

O'Connor, J., dissents.

2003-0259. Columbus Bar Assn. v. Verne, 2003-Ohio-2463.

On Final Report of the Board of Commissioners on the Unauthorized Practice of Law of the Supreme Court, No. UPL02-03. The unauthorized practice of law is enjoined. See opinion.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Lundberg Stratton and O'Connor, JJ., concur.

Cook, J., concurs in judgment.

2003-0380. Cleveland Bar Assn. v. Clavner, 2003-Ohio-2464.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 02-12. Eunice A. Clavner is indefinitely suspended from the practice of law.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook, Lundberg Stratton and O'Connor, JJ., concur.

2003-0381. Disciplinary Counsel v. Kafantaris, 2003-Ohio-2477.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 02-15. George Nicholas Kafantaris is suspended from the practice of law for one year with six months stayed on conditions.

Resnick, F.E. Sweeney, Pfeifer, Cook, Lundberg Stratton and O'Connor, JJ., concur.

Moyer, C.J., dissents.

2003-0382. Disciplinary Counsel v. Armengau, 2003-Ohio-2465.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 01-101. Javier H. Armengau is publicly reprimanded.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook, Lundberg Stratton and O'Connor, JJ., concur.

2003-0394. Toledo Bar Assn. v. Colburn, 2003-Ohio-2472.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 02-31. Anthony John Colburn is suspended from the practice of law for one year with credit from February 19, 2002.

Resnick, F.E. Sweeney, Pfeifer and Cook, JJ., concur.

Moyer, C.J., Lundberg Stratton and O'Connor, JJ., dissent.

2003-0395. Cleveland Bar Assn. v. Collins, 2003-Ohio-2466.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 01-92. Larry D. Collins is indefinitely suspended from the practice of law with condition.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook and O'Connor, JJ., concur.

Lundberg Stratton, J., concurs in part and dissents in part.

2003-0397. Erie-Huron Counties Joint Certified Grievance Commt. v. Meyerhoefer, 2003-Ohio-2467.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 01-81. Paul F. Meyerhoefer is indefinitely suspended from the practice of law.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook, Lundberg Stratton and O'Connor, JJ., concur.

2003-0418. Disciplinary Counsel v. Brumbaugh, 2003-Ohio-2470.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 02-26. Philip Brumbaugh is indefinitely suspended from the practice of law. See opinion.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook, Lundberg Stratton and O'Connor, JJ., concur.

2003-0447. State ex rel. State v. Lewis, 2003-Ohio-2476.

In Prohibition. Writ granted.

Pfeifer and Lundberg Stratton, JJ., concur.

Moyer, C.J., Cook and O'Connor, JJ., concur in judgment only.

Resnick and F.E. Sweeney, JJ., dissent.

APPEALS ACCEPTED FOR REVIEW

2003-0427. Gruelich v. The Hartford.

Cuyahoga App. No. 80987, 2003-Ohio-652.

Discretionary appeal denied on Proposition of Law No. I.

Lundberg Stratton and O'Connor, JJ., dissent, would allow Proposition of Law No. I, and would hold on this proposition of law for the decision in 2003-0302 and 2003-0362, *Taylor v. Kemper Ins. Co.*, Cuyahoga App. No. 81360, 2003-Ohio-177.

Discretionary appeal allowed on Proposition of Law No. II and cause held for the decision in 2002-0579, *Burkhart v. CNA Ins. Co.*, Stark App. No. 2001CA00265, 2002-Ohio-903; briefing schedule stayed.

Resnick, F.E. Sweeney and Pfeifer, JJ., dissent.

2003-0446. Workman v. Carlisle Engineered Products, Inc.

Cuyahoga App. Nos. 81179 and 81211, 2003-Ohio-293.

Discretionary appeal denied on Proposition of Law No. I.

Lundberg Stratton and O'Connor, JJ., dissent, would allow, and would hold on this proposition of law for the decision in *Taylor v. Kemper Ins. Co.*, Cuyahoga App. No. 81360, 2003-Ohio-177.

Discretionary appeal allowed on Proposition of Law No. II and cause held for the decision in 2002-0803 and 2002-0837, *German v. Therm-O-Disc, Inc.*, Richland App. No. 01CA512, 2002-Ohio-1848; briefing schedule stayed.

Resnick, F.E. Sweeney and Pfeifer, JJ., dissent.

Discretionary appeal allowed on Proposition of Law No. III and cause held for the decision in 2002-0579, *Burkhart v. CNA Ins. Co.*, Stark App. No. 2001CA00265, 2002-Ohio-903; briefing schedule stayed.

Resnick, F.E. Sweeney and Pfeifer, JJ., dissent.