

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

October 5, 2004

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### MERIT DECISIONS WITH OPINIONS

**2004-0977. Maschari v. Tone, 2004-Ohio-5342.**

Erie App. No. E-04-019, 2004-Ohio-2876. Judgment affirmed.

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

Pfeifer and O'Donnell, JJ., dissent.

Resnick, J., not participating.

### DISCIPLINARY CASES

**2003-1943. Akron Bar Assn. v. Holder.**

This cause came on for further consideration upon respondent, William P. Holder's, filing of a motion to amend the judgment entry. On September 24, 2004, relator, Akron Bar Association, filed a memo in opposition. Upon consideration thereof,

IT IS ORDERED by the court that respondent's motion be and hereby is, denied.

**2004-1430. In re Broschak.**

On September 28, 2004, this court suspended respondent, Thomas J. Broschak, for an interim period pursuant to Gov.Bar R. V(5)(A)(4). On September 30, 2004, the Board of Commissioners on Grievances and Discipline submitted a notice pursuant to Gov.Bar R. V(5)(D)(1)(c) notifying this court that respondent no longer was in default of the child support order previously submitted to the court. Upon consideration thereof,

IT IS ORDERED by the court that pursuant to Gov.Bar R. V(5)(D)(1), respondent, Thomas J. Broschak, attorney registration number 0019547, last known business address in Hilliard, Ohio, be reinstated to the practice of law.

IT IS FURTHER ORDERED that pursuant to Gov.Bar R. V(5)(D)(2), reinstatement of respondent shall not terminate any pending disciplinary proceedings against respondent.

IT IS FURTHER ORDERED that the Clerk of this court issue certified copies of this order as provided for in Gov.Bar R. V(8)(D)(1), that publication be made as provided for in Gov.Bar R. V(8)(D)(2), and that respondent bear the costs of publication.

### **MISCELLANEOUS DISMISSALS**

**2004-1133. State ex rel. Bays v. Indus. Comm.**

Franklin App. No. 03AP-424, 2004-Ohio-2944. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of the joint application for dismissal,

IT IS ORDERED by the court that the application for dismissal be, and hereby is, granted.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.

### **MISCELLANEOUS ORDERS**

In re Report of the Commission :  
on Continuing Legal Education. :

E N T R Y

Charles Zagara :  
(#0029649), :  
Respondent. :

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (“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 1997-1998 reporting period.

On April 5, 2000, this court adopted the recommendation of the commission, imposed a sanction fee upon the respondent and suspended the respondent from the practice of law pursuant to Gov.Bar R. X(6)(B)(3) and (5)(A)(4). The court further ordered that respondent shall not be reinstated to the practice of law in Ohio until respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7); respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio; respondent complies with this and all other orders of the court; and this court orders respondent reinstated.

On September 20, 2004, the commission filed a recommendation pursuant to Gov.Bar R. X(7)(B)(2), finding that the respondent has paid all fees assessed for noncompliance, has made up all deficiencies and is now in full compliance with all requirements of Gov.Bar R. X, and recommending that the respondent be reinstated to the practice of law in Ohio. On September 20, 2004, the commission certified that respondent had completed the credit hours of continuing legal education required during his suspension by this court's order of suspension. Upon consideration thereof,

IT IS ORDERED by the court that the recommendation of the commission is adopted and respondent, Charles Zagara, is hereby reinstated to the practice of law.

### **ADMINISTRATIVE ACTIONS**

1. Proposed amendments to Gov.Jud.R. IV will be published for public comment.
2. Randi Ostry LeHoty was appointed to the Rules Advisory Committee.