

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS

February 26, 2008

[Cite as *02/26/2008 Case Announcements*, 2008-Ohio-746.]

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## MOTION AND PROCEDURAL RULINGS

### **2007-1311. Doe v. Massillon City School Dist.**

Stark App. No. 2006CA00227, 2007-Ohio-2801. This cause is pending before the court as an appeal from the Court of Appeals for Stark County. Upon consideration of appellee's motion to seal the second supplement,

It is ordered by the court that the motion is granted.

### **2007-1718. Brown v. Levin.**

Board of Tax Appeals, No. 2006-R-1041. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of appellants' request for an oral argument before the full court,

It is ordered by the court that the motion is granted.

### **2008-0304. Safeco Ins. Co. of Am. v. Fed. Ins. Co.**

Hamilton App. No. C-070074, 2007-Ohio-7068. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's motion to seal the record and pleadings on appeal,

It is ordered by the court that the motion is granted.

## RECONSIDERATION OF PRIOR DECISIONS

### **2008-0239. State v. Williams.**

Summit App. No. 22885. Reported at \_\_\_\_ Ohio St.3d \_\_\_\_, 2008-Ohio-497. On motion for reconsideration. Motion denied.

## DISCIPLINARY CASES

On December 3, 2007, the following attorneys were suspended from the practice of law pursuant to Gov.Bar R. VI(5)(B) for failing to file their 2007/2009 Certificate of Registration and paying the applicable fees on or before November 30, 2007. It has now come to the court's attention that the following attorneys were deceased prior to November 30, 2007. Upon consideration thereof,

IT IS ORDERED by the court that the suspension entered against the following attorneys be and hereby is vacated:

43824	Edward Jay Berkson	West Des Moines, IA
66892	Steven Kent Birch	Solon, OH
24004	Peter Scott Edgar	Cincinnati, OH
30940	Raymond Charles Hieber	Bellbrook, OH
38464	Charles Nicholas Khoury	Cincinnati, OH
15046	Francis Thomas Kremblas Jr.	Reynoldsburg, OH
16743	Jeffrey Wayne Pederson	Cleveland Hghts, OH
16258	Daniel Joseph Rehor	Westlake, OH
32785	Joseph Howard Vahlsing	Cincinnati, OH
10804	Ralph Angelo Zuzolo	Niles, OH

On December 2, 2005, the following attorneys were suspended from the practice of law pursuant to Gov.Bar R. VI(5)(B), formerly Section 6(B), for failing to file their 2005/2007 Certificate of Registration and paying the applicable fees on or before December 1, 2005. It has now come to the court's attention that the following attorneys were deceased prior to December 1, 2005. Upon consideration thereof,

IT IS ORDERED by the court that the suspension entered against the following attorneys be and hereby is vacated:

44431	Charles Ray Adams	Cleveland, OH
44439	Doris Birtic Adams	Cleveland, OH
23836	Richard Hilton Bailes	Moncure, NC
47724	Daniel Joseph Hanlon, Jr.	Neenah, WI
47727	Rex William Hanna	Kenton, OH
48505	Frederick Arthur Johnson Jr.	Cincinnati, OH
48984	Elton Robeson Knight, Jr.	Painesville, OH
49032	Robert Konstand	Akron, OH
50400	Norman Selby Minor	Cleveland, OH
50772	Ogden Jerome Newsom	Cleveland, OH
50861	Jack Warner Nybell	Youngstown, OH
33048	Dale Junior Pugh	Phoenix, AZ
51870	John Joseph Rigney	Chillicothe, OH
73213	Douglas Dedrick Rozelle	Corry, PA
60791	Charles Sacks	Akron, OH

On December 3, 2007, the following attorneys were suspended from the practice of law pursuant to Gov.Bar R. VI(5)(B), for failing to file their 2007/2009 Certificate of Registration and paying the applicable fees on or before November 30, 2007. Upon review of the attorney registration records, it appears that the following attorneys had submitted their Certificate of Registration and applicable fees timely. Upon consideration thereof,

IT IS ORDERED by the court that the suspension order entered against the following attorneys be and hereby is vacated:

32487	Austin Barton Campbell	McArthur, OH
67334	Victor Chester Hull	Youngstown, OH
29342	William Johnson Hyde	Beachwood, OH
45556	David Gessler Lombardi	Akron, OH
51406	Kathleen Prouty Polster	East Cleveland, OH
12046	Michael Paul Varga-Sinka	Lakewood, OH

On December 2, 2005, the following attorneys were suspended from the practice of law pursuant to Gov.Bar R. VI(5)(B), formerly Sec. 6(B), for failing to file their 2005/2007 Certificate of Registration and paying the applicable fees on or before December 1, 2005. It has now come to the court's attention that these attorneys terminated their corporate employment as a full time employee of a nongovernmental Ohio employer prior to December 1, 2005 and were no longer eligible for corporate registration pursuant to Gov.Bar R. VI(3). Upon consideration thereof,

IT IS ORDERED by the court that the suspension order entered against the following attorneys be and hereby is vacated:

63028	Edward T. Constable	Dayton, OH
9753	Danny Arthur Lisonbee	Cleveland, OH

**2006-0442. Dayton Bar Assn. v. Gerren.**

On application for reinstatement of Nicholas L. Gerren Jr., Attorney Registration No. 0032341. Application granted, respondent reinstated to the practice of law in Ohio, and probation imposed.

In re Attorney Registration Suspension	:	
Sharon Carol Baird (#0016781),	:	ORDER OF
Respondent.	:	SUSPENSION
	:	

Gov.Bar R. VI(1)(A) requires all attorneys admitted to the practice of law in Ohio to file a Certificate of Registration for the 2007/2009 attorney registration

biennium on or before September 1, 2007. Section 5(A) establishes that an attorney who fails to file the Certificate of Registration on or before September 1, 2007, but pays within ninety days of the deadline, shall be assessed a late fee. Section 5(B) provides that an attorney who fails to file a Certificate of Registration and pay the fees either timely or within the late registration period shall be notified of noncompliance, and that if the attorney fails to file evidence of compliance with Gov.Bar R. VI or to come into compliance within ninety days of the deadline, the attorney will be suspended from the practice of law.

Respondent has not submitted valid payment or registered for the 2007/2009 attorney registration biennium on or before September 1, 2007, and has not filed evidence of compliance with Gov.Bar R. VI or come into compliance with this rule within ninety days of the deadline.

Upon consideration thereof and in accordance with Gov.Bar R. VI(5)(B), respondent is hereby suspended from the practice of law in Ohio, effective as of December 3, 2007.

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 effective immediately, respondent be forbidden to counsel or advise or prepare legal instruments for others or in any manner perform legal services for others.

IT IS FURTHER ORDERED that respondent shall not practice law in Ohio, hold herself out as authorized to practice law in Ohio, hold nonfederal judicial office in Ohio, occupy a nonfederal position in this state in which the attorney is called upon to give legal advice or counsel or to examine the law or pass upon the legal effect of any act, document, or law, be employed in the Ohio judicial system in a position required to be held by an attorney, or practice before any nonfederal court or agency in this state on behalf of any person except herself.

IT IS FURTHER ORDERED that if respondent fails to comply with this order, respondent may be referred for investigation of the unauthorized practice of law under Gov.Bar R. VII(3).

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

IT IS FURTHER ORDERED that notwithstanding respondent's suspension under Gov.Bar R. VI, respondent shall comply with Gov.Bar R. X ("Attorney Continuing Legal Education").

IT IS FURTHER ORDERED that respondent shall not be reinstated to the practice of law in Ohio until (1) respondent files Certificates of Registration for all

biennia for which respondent has not registered, (2) respondent pays all applicable registration fees, (3) respondent pays a \$300 reinstatement fee, (4) respondent files an Application for Reinstatement on a form provided by the Office of Attorney Services, (5) and the Office of Attorney Services reinstates respondent to the practice of law.

IT IS FURTHER ORDERED that respondent shall keep the Office of Attorney Services advised of any change of address where respondent may receive communications.

IT IS FURTHER ORDERED that service shall be deemed made on respondent by sending this order, and all other orders in this matter, by certified mail to the most recent address respondent has provided to the Office of Attorney Services.

### **MISCELLANEOUS DISMISSALS**

#### **2008-0311. Dennie v. Hurst Constr., Inc.**

Lorain App. No. 06CA009055, 2007-Ohio-7038. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellants' application for dismissal,

It is ordered by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.