

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

September 28, 2010

[Cite as *09/28/2010 Case Announcements*, 2010-Ohio-4578.]

MERIT DECISIONS WITH OPINIONS

2009-1321. Squire, Sanders & Dempsey, L.L.P. v. Givaudan Flavors Corp., Slip Opinion No. 2010-Ohio-4469.

Cuyahoga App. No. 92366, 2009-Ohio-2490. Judgment of the court of appeals reversed, and cause remanded to the trial court.

Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, and Cupp, JJ., concur.

Lanzinger, J., concurs in judgment only.

Brown, C.J., not participating.

2009-1765. AERC Saw Mill Village, Inc. v. Franklin Cty. Bd. of Revision, Slip Opinion No. 2010-Ohio-4468.

Board of Tax Appeals, Nos. 2007-A-764 and 2008-A-157. Decision of the Board of Tax Appeals reversed and cause remanded.

Brown, C.J., and Pfeifer, Lundberg Stratton, O'Connor, and Cupp, JJ., concur.

O'Donnell, J., concurs in reversing the decision of the Board of Tax Appeals but would not remand the cause.

Lanzinger, J., concurs in judgment only.

2010-0661. Disciplinary Counsel v. Rathburn, Slip Opinion No. 2010-Ohio-4467.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 09-101. Dennis A. Rathburn, Attorney Registration No. 0055233, is suspended from the practice of law in Ohio for two years, stayed on conditions.

Brown, C.J., and Pfeifer, Lundberg Stratton, O'Connor, O'Donnell, Lanzinger, and Cupp, JJ., concur.

DISCIPLINARY CASES

2010-1291. Disciplinary Counsel v. Lapine.

This cause is before the court upon relator's filing of a certified copy of an order of the United States Securities and Exchange Commission entered on June 8, 2010, in *In re Lapine*, case No. 3-13926. Respondent filed a response to the show cause order issued by this court and relator filed a reply. Upon consideration thereof,

It is ordered by the court, pursuant to Gov.Bar R. V(11)(F)(7), that the parties shall file briefs to address the following issue:

“Whether the Supreme Court Rules for the Government of the Bar of Ohio require that ‘another jurisdiction’ imposing discipline upon an attorney require affirmative findings of misconduct, comparable to those required by Gov.Bar R. V(6)(J) and V(11)(A)(3)(c), before reciprocal discipline may be imposed pursuant to Gov.Bar R. (V)(11)(F)?”

Both briefs shall be filed within 20 days of the date of this order. 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. Responsive briefs shall not be filed, and the Clerk's office shall refuse to file any responsive briefs or requests for extension of time.

Pfeifer and Lundberg Stratton, JJ., dissent and would dismiss the cause.

MISCELLANEOUS DISMISSALS

2010-1569. State ex rel. Scheck v. Collier.

Medina App. No. 09CA0081-M. This cause is pending before the court as a direct appeal. On September 7, 2010, when this appeal was filed, a check in the amount of \$100 was submitted by appellant to satisfy the requirement of the docket fee imposed by R.C. 2503.17 and S.Ct.Prac.R. 15.1. This court has been informed by the office of the Treasurer of the State of Ohio that the check was returned because of insufficient funds. Whereas R.C. 2503.17 and S.Ct.Prac.R. 15.1 require that the docket fee shall be paid before a notice of appeal is filed or a case is docketed,

It is ordered by the court, sua sponte, that this cause is dismissed.