

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

August 17, 2011

[Cite as *08/17/2011 Case Announcements*, 2011-Ohio-4060.]

MERIT DECISIONS WITH OPINIONS

2011-0478. State ex rel. Paige v. Corrigan, Slip Opinion No. 2011-Ohio-4057.

Cuyahoga App. No. 95864, 2011-Ohio-743. Judgment of the court of appeals affirmed.

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

2011-0639. Palmer v. Jeffreys, Slip Opinion No. 2011-Ohio-4058.

Ross App. No. 11CA3220. Judgment of the court of appeals affirmed.

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

2011-0749. State ex rel. Castro v. Corrigan, Slip Opinion No. 2011-Ohio-4059.

Cuyahoga App. No. 96488, 2011-Ohio-1701. Judgment of the court of appeals affirmed.

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

DISCIPLINARY CASES

2004-0108. Columbus Bar Assn. v. Port.

This cause came on for further consideration upon the filing on October 13, 2010, of a petition for reinstatement by respondent, Gregory Darwin Port, Attorney Registration No. 0043838. In accordance with Rule V(10)(F) of the Rules for the Government of the Bar of Ohio, respondent's petition for reinstatement was referred to the Board of Commissioners on Grievances and Discipline. The board

filed its final report in this court on June 20, 2011, recommending that respondent be reinstated to the practice of law in Ohio. No Objections to the final report were filed.

Upon consideration thereof, it is ordered by this court that the petition for reinstatement of respondent is granted and that respondent, Gregory Darwin Port, last known address in Columbus, Ohio is reinstated to the practice of law in Ohio.

It is further ordered by the court that respondent be taxed the costs of these proceedings in the amount of \$2,316.56, less the deposit of \$500.00, for a total balance due of \$1,816.56 payable, by certified check or money order, by respondent on or before 90 days from the date of this order. If costs are not paid on or before 90 days from the date of this order, interest at the rate of 10% per annum will accrue until costs are paid in full. It is further ordered that if costs are not paid in full on or before 90 days from the date of this order, the matter may be referred to the Attorney General for collection and respondent may be found in contempt and suspended until all costs and accrued interest are paid in full.

It is further ordered, sua sponte, by the court, that within 90 days of the date of this order, respondent shall reimburse any amounts that have been awarded against the respondent by the Clients' Security Fund pursuant to Gov.Bar R. VIII(7)(F). It is further ordered, sua sponte, by the court that if, after the date of this order, the Clients' Security Fund awards any amount against the respondent pursuant to Gov.Bar R. VIII(7)(F), the respondent shall reimburse that amount to the Clients' Security Fund within 90 days of the notice of such award.

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. All case documents are subject to Rules 44 through 47 of the Rules of Superintendence of Ohio which govern access to court records.

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.

O'Donnell, J., concurs and would order monitoring.

2007-1961. Disciplinary Counsel v. Goldblatt.

This cause came on for further consideration upon the filing on January 24, 2011, of a petition for reinstatement by respondent, Jay Alan Goldblatt, Attorney Registration No. 0014263. In accordance with Rule V(10)(F) of the Rules for the Government of the Bar of Ohio, respondent's petition for reinstatement was referred to the Board of Commissioners on Grievances and Discipline. The board filed its final report in this court on June 17, 2011, recommending that respondent

not be reinstated to the practice of law in Ohio. Respondent filed objections to said final report, relator filed an answer, and this matter was considered by the court.

Upon consideration thereof, it is ordered by this court that the petition for reinstatement of respondent is denied.

It is further ordered by the court that respondent be taxed the costs of these proceedings in the amount of \$1,196.31, less the deposit of \$500.00, for a total balance due of \$696.31 payable, by certified check or money order, by respondent on or before 90 days from the date of this order. If costs are not paid on or before 90 days from the date of this order, interest at the rate of 10% per annum will accrue until costs are paid in full. It is further ordered that if costs are not paid in full on or before 90 days from the date of this order, the matter may be referred to the Attorney General for collection and respondent may be found in contempt.

It is further ordered, sua sponte, by the court, that within 90 days of the date of this order, respondent shall reimburse any amounts that have been awarded against the respondent by the Clients' Security Fund pursuant to Gov.Bar R. VIII(7)(F). It is further ordered, sua sponte, by the court that if, after the date of this order, the Clients' Security Fund awards any amount against the respondent pursuant to Gov.Bar R. VIII(7)(F), the respondent shall reimburse that amount to the Clients' Security Fund within 90 days of the notice of such award.

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. All case documents are subject to Rules 44 through 47 of the Rules of Superintendence of Ohio which govern access to court records.

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.

2010-1693. Disciplinary Counsel v. Character.

Board of Commissioners on Grievances & Discipline, No. 06-037. Reported at 129 Ohio St.3d 60, 2011-Ohio-2902, 950 N.E.2d 177. On motion for reconsideration. Motion denied. Motion for leave dismissed as moot.

2011-1116. In re Resignation of Quatman.

On affidavit of resignation from the practice of law of George Bernard Quatman III, Attorney Registration No. 0008117, and on report filed under seal by Disciplinary Counsel. Resignation accepted with disciplinary action pending.

2011-1166. In re Resignation of Manning.

On affidavit of resignation from the practice of law of Charles Hudson Manning, Attorney Registration No. 0052013, and on report filed under seal by Disciplinary Counsel. Resignation accepted with disciplinary action pending.

2011-1283. Akron Bar Assn. v. Walkley.

On July 28, 2011, and pursuant to Rule V(5a)(A)(1)(b) of the Supreme Court Rules for the Government of the Bar of Ohio, relator, Akron Bar Association Certified Grievance Committee, filed with this court a Motion for Interim Remedial Suspension pursuant to Gov.Bar R. V(5a), alleging that respondent, Thomas Lee Walkley, has engaged in conduct that violates the Ohio Rules of Professional Conduct and poses a substantial threat of serious harm to the public. Respondent filed a response on August 4, 2011.

Upon consideration thereof and pursuant to Gov.Bar R. V(5a)(B), it is ordered and decreed that an interim remedial suspension is immediately entered against Thomas Lee Walkley, Attorney Registration Number 0033728, last known business address in Norton, Ohio, and that the suspension be effective as of the date of this entry, pending final disposition of disciplinary proceedings predicated on the conduct threatening the serious harm.

It is further ordered that Thomas Lee Walkley, 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 is 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 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 before entering into an employment, contractual, or consulting relationship with any attorney or law firm, the respondent shall verify that the attorney or law firm has complied with the registration requirements of Gov.Bar R. V(8)(G)(3). If employed pursuant to Gov.Bar R. V(8)(G), respondent shall refrain from direct client contact except as provided in Gov.Bar R. V(8)(G)(1), and from receiving, disbursing, or otherwise handling any client trust funds or property.

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 the Supreme Court Rules for the Government of the Bar of Ohio; (2) respondent complies with this and all other orders issued by this court; (3) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio; and (4) this court orders respondent reinstated.

It is further ordered, sua sponte, by the court, that within 90 days of the date of this order, respondent shall reimburse any amounts that have been awarded by the Clients' Security Fund pursuant to Gov.Bar R. VIII(7)(F). It is further ordered, sua sponte, by the court that if, after the date of this order, the Clients' Security Fund awards any amount against the respondent pursuant to Gov.Bar R. VIII(7)(F), the respondent shall reimburse that amount to the Clients' Security Fund within 90 days of the notice of such award.

It is further ordered that on or before 30 days from 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, 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 his possession or control;
4. Notify opposing counsel in pending litigation or, in the absence of counsel, the adverse parties of his disqualification to act as an attorney 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 such 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, the Akron Bar Association, 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. All case documents are subject to Rules 44 through 47 of the Rules of Superintendence of Ohio which govern access to court records.

It is further ordered, sua sponte, that service shall be deemed made on respondent by sending this order, and all other orders in this case, by certified mail to the most recent address respondent has given to the Office of Attorney Services.

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.