

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

November 5, 2015

[Cite as *11/05/2015 Case Announcements, 2015-Ohio-4577.*]

MERIT DECISIONS WITH OPINIONS

2014-0067. Chesapeake Exploration, L.L.C. v. Buell, Slip Opinion No. 2015-Ohio-4551.

Certified Questions of State Law, United States District Court of the Southern District of Ohio, Eastern Division, No. 2:12CV916. First certified question answered in the affirmative. Second certified question answered in the negative.

O'Connor, C.J., and Lanzinger, French, and O'Neill, JJ., concur.

Pfeifer and O'Donnell, JJ., concur in part and dissent in part.

Kennedy, J., concurs in the answers to the certified questions and concurs in part.

2014-1738. Toledo Bar Assn. v. DeMarco, Slip Opinion No. 2015-Ohio-4549.

On Certified Report by the Board of Commissioners on Grievances and Discipline, No. 2014-009. Robert Paul DeMarco, Attorney Registration No. 0031530, is hereby suspended from the practice of law for one year, with six months stayed on conditions.

Pfeifer, O'Donnell, Lanzinger, Kennedy, French, and O'Neill, JJ., concur.

O'Connor, C.J., dissents, and would suspend the respondent for 12 months without stay.

MOTION AND PROCEDURAL RULINGS

2015-0386. Crutchfield, Corp. v. Testa.

Board of Tax Appeals, Nos. 2012-926, 2012-3068, and 2013-2021. This cause is pending before the court as an appeal from the Board of Tax Appeals.

Upon consideration of the motions for admission pro hac vice of Eric F. Citron and Bruce J. Fort, it is ordered by the court that the motions are granted. Pursuant to Gov.Bar R. XII(4), counsel shall file a notice of permission to appear pro hac vice with the Supreme Court's Office of Attorney Services within 30 days of the date of this entry.

2015-0483. Newegg, Inc. v. Testa.

Board of Tax Appeals, No. 2012-234. This cause is pending before the court as an appeal from the Board of Tax Appeals.

Upon consideration of the motions for admission pro hac vice of Eric F. Citron and Bruce J. Fort, it is ordered by the court that the motions are granted. Pursuant to Gov.Bar R. XII(4), counsel shall file a notice of permission to appear pro hac vice with the Supreme Court's Office of Attorney Services within 30 days of the date of this entry.

2015-0794. Mason Cos., Inc. v. Testa.

Board of Tax Appeals, Nos. 2012-1169 and 2012-2806. This cause is pending before the court as an appeal from the Board of Tax Appeals.

Upon consideration of the motions for admission pro hac vice of Eric F. Citron and Bruce J. Fort, it is ordered by the court that the motions are granted. Pursuant to Gov.Bar R. XII(4), counsel shall file a notice of permission to appear pro hac vice with the Supreme Court's Office of Attorney Services within 30 days of the date of this entry.

DISCIPLINARY CASES

2015-0481. Disciplinary Counsel v. Hoskins.

This matter came on for further consideration upon the filing of a motion to hold respondent in contempt by relators, disciplinary counsel and Cincinnati Bar Association, on September 2, 2015, requesting the court to find respondent in contempt for his failure to obey the court's April 23, 2015 suspension order. The court ordered respondent to file a response to the motion. Respondent filed a response.

Upon consideration thereof, it is ordered by the court that respondent is found in contempt. It is further ordered that respondent appear in person before this court on December 1, 2015, at 9:00 a.m.

2015-1541. In re Resignation of Sliwinski.

On application for resignation from the practice of law of Teddy Sliwinski, Attorney Registration No. 0024901, and on report filed under seal by disciplinary counsel. Resignation accepted with disciplinary action pending.

MISCELLANEOUS DISMISSALS

2015-1616. Jascar Ents., L.L.C. v. Body By Jake Ents., L.L.C.

Wayne App. No. 14-CA-0006, 2015-Ohio-3281. This cause is pending before the court as a jurisdictional appeal.

Upon consideration of appellees/cross-appellants' application for dismissal of cross-appeal, it is ordered by the court that the application for dismissal is granted. Accordingly, the cross-appeal is dismissed. The appeal in this case remains pending.

MEDIATION MATTERS

The following cases have been referred to mediation pursuant to S.Ct.Prac.R. 19.01(A).

2015-1683. Navistar, Inc. v. Clark Cty. Bd. of Revision.

Board of Tax Appeals, No. 2014-4248.

2015-1717. State ex rel. Tolle v. Spherion of Mid-Ohio, Inc.

Franklin App. No. 14AP-717, 2015-Ohio-3593.

2015-1697. State ex rel. Bonnlander v. Hamon.

Franklin App. No. 14AP-855, 2015-Ohio-4038.

2015-1750. State ex rel. Mason Equity Group, L.L.C. v. Indus. Comm.

In Mandamus.

The following cases have been returned to the regular docket pursuant to S.Ct.Prac.R. 19.01(E).

The appellants in each case shall file a brief within 40 days of the date of these entries, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R.

16.02 through 16.07. As provided in S.Ct.Prac.R. 16.07, the court may dismiss these cases or take other action if the parties fail to timely file merit briefs.

2014-1601. Coventry Courts, L.L.C. v. Cuyahoga Cty. Bd. of Revision.
Board of Tax Appeals, No. 2012-1118.

2015-0349. N. Canton City School Dist. Bd. of Edn. v. Stark Cty. Bd. of Revision.
Board of Tax Appeals, Nos. 2013-6181 and 2013-6222.

2015-0632. Lorain City School Dist. Bd. of Edn. v. Testa.
Board of Tax Appeals, No. 2013-6134.

The following case has been returned to the regular docket pursuant to S.Ct.Prac.R. 19.01(E).

The appellee shall file a brief within 30 days of the date of this entry, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. 16.02 through 16.07. As provided in S.Ct.Prac.R. 16.07, the court may dismiss this case or take other action if the parties fail to timely file merit briefs.

2015-1243. State ex rel. BF Goodrich Co. v. Indus. Comm.
Franklin App. No. 13AP-1056, 2015-Ohio-2239.