

**BOARD ON THE UNAUTHORIZED PRACTICE OF LAW
OF
THE SUPREME COURT OF OHIO**

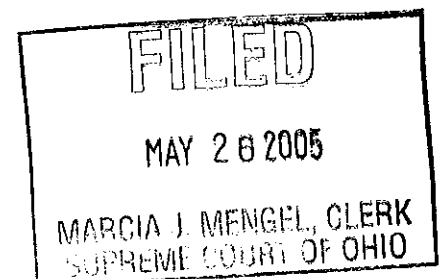
THE OHIO STATE BAR ASS'N,	:	
Relator,	:	Sup. Ct. Case No. 04-2164
	:	
v.	:	Case No. UPL 04-04
	:	
RANDY COHEN,	:	FINAL REPORT ON REMAND
Individually and d/b/a DOCUPREP USA,	:	
Respondent.	:	

This matter came before the Board of Commissioners on the Unauthorized Practice of Law ("Board") on the Relator The Ohio State Bar Association's complaint filed on April 26, 2004; Respondent Randy Cohen's answer filed on May 28, 2004; and a stipulated waiver of hearing filed by the parties on October 20, 2004.

The Board issued its final report and concluded that Respondent had engaged in the unauthorized practice of law. The Board did not recommend the imposition of any civil sanctions. The final report was filed with the Ohio Supreme Court on December 30, 2004.

On February 25, 2005, the Ohio Supreme Court remanded the matter to the Board with instructions to supplement its reasoning for not requesting the imposition of civil sanctions. The Board received the remand order on February 28, 2005.

The Board hereby incorporates by reference the findings of facts and the conclusions of law and the stipulations of the parties filed in its final report with the Ohio Supreme Court on December 30, 2004.



The Board adopted rules, regulations and factors it would take into consideration in requesting or not the imposition of civil penalties.¹ In doing so, the Board is mindful of the unique facts and circumstances applicable in every application of UPL.

In this instance, the Relator, The Ohio State Bar Association, specifically did not recommend the imposition of any civil penalties in return for Respondent's admission of UPL, his agreement to cease and desist, and his waiver of hearing. Consistent with its posture throughout these proceedings, the Relator has not, to date, requested any reimbursements for costs incurred. The Board finds that the Respondent cooperated fully with the Relator and that the UPL violation was not flagrant, and in many instances the Respondent filled out forms and prepared matters for family members. The Board further finds that the harm to third parties was limited.

Pursuant to the adopted UPL regulations, we find no earlier engagement in UPL; no prior orders to cease and desist; no prior warning that the Respondent was engaging in practice of law; and finally, that the Respondent did not hold himself out as a lawyer.

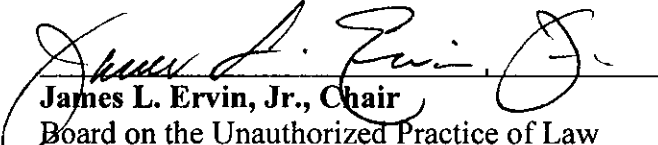
In mitigation, the Board finds:

- a. that the Respondent has ceased in engaging in the conduct under review;
- b. that the Respondent has admitted to and stipulated to the conduct under review;
- c. that the Respondent has admitted that the conduct under review constitutes UPL;
- d. that the Respondent has agreed to the imposition of an injunction against future UPL;
- e. that the Respondent's conduct did not result from a motive such as dishonesty;
- f. that the Respondent has made a good faith effort to rectify the consequences of UPL; and

¹ Pursuant to Gov. B R. VII, §16, the Board intends to formally submit to the Court regulations relative to the consideration of civil penalties for its approval in 2005.

g. that the Respondent was sanctioned and reprimanded in the United States Bankruptcy Court.

It remains the recommendation of the Board on the Unauthorized Practice of Law that no civil sanctions be imposed in this matter.


James L. Ervin, Jr., Chair
Board on the Unauthorized Practice of Law

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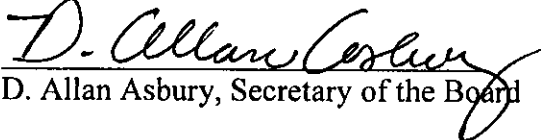
STATEMENT OF COSTS

Ohio State Bar Association v. Randy Cohen
Case No. UPL 04-04

To date, no expenses have been incurred.

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Final Report was served by certified mail upon the following this 26th day of May, 2005: Ohio State Bar Association, Unauthorized Practice of Law Committee, 1700 Lake Shore Drive, Columbus OH 43204; Ian Robinson, Fitch Kendall Cecil Robinson & Magyaros Co., LPA, 600 East State Street, PO Box 590, Salem, OH 44460; Eugene P. Whetzel, General Counsel, Ohio State Bar Association, 1700 Lake Shore Drive, Columbus, OH 43204; Randy Cohen, Individually and d.b.a. DOCUPREP USA, 603 Gypsy Lane, Ste. 3, Youngstown, OH 44505; Mahoning County Bar Association, 114 East Front Street, Youngstown, OH 44503, Office of Disciplinary Counsel, 250 Civic Center Drive, Ste. 325, Columbus, OH 43215.


D. Allan Asbury, Secretary of the Board