

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

January 18, 2007

[Cite as *01/18/2007 Case Announcements, 2007-Ohio-151.*]

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### MOTION AND PROCEDURAL RULINGS

**2006-0294. State v. Crager.**

Marion App. No. 9-04-54, 2005-Ohio-6868. This cause is pending before the court as an appeal from the Court of Appeals for Marion County. Upon consideration of amicus curiae Ohio Attorney General Marc Dann's motion to participate in oral argument,

It is ordered by the court that the motion is granted and the amicus shall share the time allotted to the appellant.

**2006-0298. State v. Crager.**

Marion App. No. 9-04-54, 2005-Ohio-6868. This cause is pending before the court on the certification of a conflict by the Court of Appeals for Marion County. Upon consideration of amicus curiae Ohio Attorney General Marc Dann's motion to participate in oral argument,

It is ordered by the court that the motion is granted and the amicus shall share the time allotted to the appellant.

**2006-1025. Norfolk S. Ry. Co. v. Bogle.**

Cuyahoga App. No. 86339, 166 Ohio App.3d 449, 2006-Ohio-1540. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Upon consideration of appellees' motion to participate in oral argument,

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

**2006-1086. Community Health Professionals, Inc. v. Wilkins.**

Board of Tax Appeals, No. 2004-K-689. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of the amicus curiae Ohio Hospital Association's motion to participate in oral argument,

It is ordered by the court that the motion is granted and the amicus shall share the time allotted to the appellee.

## **DISCIPLINARY CASES**

### **2001-0370. Cleveland Bar Assn. v. Young.**

On July 18, 2001, this court permanently disbarred respondent, Leonard Young. On November 27, 2006, relator, Cleveland Bar Association, filed a motion for order to appear and show cause, requesting that the court issue an order directing respondent to appear and show cause why he should not be found in contempt for his failure to comply with the July 18, 2001 order. Upon consideration thereof,

It is ordered by this court, sua sponte, that respondent appear in person before this court at 9:00 a.m. on February 28, 2007.

### **2004-1410. Dayton Bar Assn. v. Engel.**

On December 22, 2004, this court suspended respondent for a period of two years with the last six months stayed on conditions. On January 3, 2005, respondent surrendered his attorney registration card. On March 9, 2005, this court issued an order to show cause why respondent should not be found in contempt for failure to comply with the December 22, 2004, order by failing to file an affidavit of compliance. On April 18, 2005, respondent was found in contempt. On June 6, 2005, respondent filed an affidavit of compliance. This cause came on for further consideration upon the filing on January 4, 2007, of respondent's motion to purge contempt. Upon consideration thereof,

It is ordered by the court that the motion is granted, and respondent is purged of contempt of this court.

### **2006-2218. Disciplinary Counsel v. Fuller.**

On Certified Order of the Supreme Court of Florida, No. SC05-2324. Lawrence Arthur Fuller, Attorney Registration No. 0075793, is publicly reprimanded.

### **2006-2232. In re Resnick.**

On December 4, 2006, and pursuant to Gov.Bar R. V(5)(A)(3), the Secretary of the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio certified to the Supreme Court a certified copy of a judgment entry of a felony conviction against Ramie Reisman Resnick, an attorney licensed to practice law in the state of Ohio.

Upon consideration thereof and pursuant to Gov.Bar R. V(5)(A)(4), it is ordered and decreed that Ramie Reisman Resnick, Attorney Registration No.

0023382, last known business address in Cleveland, Ohio, is suspended from the practice of law for an interim period, effective as of the date of this entry.

It is further ordered that this matter is referred to the Ohio State Bar Association for investigation and commencement of disciplinary proceedings.

It is further ordered that respondent immediately cease and desist from the practice of law in any form and is 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, prepare legal instruments for others, or in any manner perform legal services for others.

It is further ordered that respondent is 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 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 Sec(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 respondent, 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 respondent's possession or control;

4. Notify opposing counsel in pending litigation or, in the absence of counsel, the adverse parties of respondent's 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 Disciplinary Counsel and the Ohio State Bar Association 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.

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 Attorney Registration Section.

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.

## **MEDIATION REFERRALS**

The following cases have been referred to mediation pursuant to S.Ct.Prac.R. XIV(6):

**2006-2318. State ex rel. Akers v. Custom Works Auto Body, Inc.**  
Franklin App. No. 05AP-1329, 2006-Ohio-6144.

**2007-0023. State ex rel. Arthur v. Indus. Comm.**  
Franklin App. No. 05AP-1018, 2006-Ohio-6776.