

The Supreme Court of Ohio

Cincinnati Bar Association,
Relator,
v.
American Mediation &
Alternative Resolutions, and
Stuart Jansen,
Respondents.

ON REPORT OF THE BOARD ON THE
UNAUTHORIZED PRACTICE OF LAW

Case No. 2009-1663

ORDER

The Board on the Unauthorized Practice of Law filed its final report in this court on September 16, 2009, recommending that, pursuant to Rule VII(5b) of the Supreme Court Rules for the Government of the Bar of Ohio, the Supreme Court of Ohio issue an order approving the consent decree proposed by the relator, Cincinnati Bar Association, and respondents, American Mediation & Alternative Resolutions and Stuart Jansen, finding that respondents have engaged in the unauthorized practice of law; and, prohibiting respondents from engaging in the unauthorized practice of law in the future. On consideration thereof,

Consistent with the opinion rendered herein, this court approves the proposed consent decree submitted by the parties.

It is ordered by the court that:

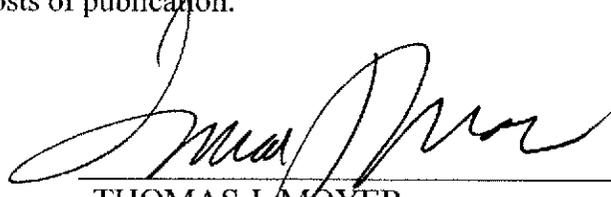
- (1) respondents shall permanently cease and desist from sending on behalf of any client of the respondents located in the state of Ohio any correspondence, email message, memorandum or any other written or oral communication to any creditor of such client which communication disputes or otherwise calls into question the validity or amount of the creditor's claim against such client (except only to the extent any such creditor has or may have incorrectly computed the amount of its claim then due);
- (2) respondents shall not otherwise "represent debtors in Ohio by advising, counseling or negotiating resolution of their debts with creditors or creditors' counsel" (per *Ohio State Bar Assn. v. Kolodner*, 103 Ohio St. 3d 504, 2004-Ohio-5581), and shall not otherwise engage in the unauthorized practice of law;
- (3) relator hereby withdraws its demand for civil penalties against the respondents for the reasons that: the respondents have fully cooperated with the relator with respect to its investigation; the number of occasions on which the relator claims the respondents engaged in the unauthorized practice of law is small (eight); the violations were not flagrant; and it does not appear that any third parties suffered significant harm as the result of the respondents' activities.

The relator also shall not seek reimbursement from the respondents for the relator's legal fees or expenses incurred in connection with this proceeding, provided the respondents comply and remain in compliance with the terms hereof; and,

- (4) relator expressly reserves all of its rights and remedies in connection with any violation hereof by the respondents.

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 that the clerk of this court issue certified copies of this order as provided for in Gov.Bar R. VII(19)(E); that publication be made as provided for in Gov.Bar R. VII(19)(F); and that respondent bear the costs of publication.

A handwritten signature in black ink, appearing to read 'Thomas J. Moyer', is written over a horizontal line. The signature is fluid and cursive.

THOMAS J. MOYER
Chief Justice