

APR 30 2013

## The Supreme Court of Ohio

CLERK OF COURT  
SUPREME COURT OF OHIO

Case No. 2011-2028

Geauga County Bar Association,  
Relator,  
v.  
Kim Gerette Martorana,  
Respondent.

ON CERTIFIED REPORT BY THE  
BOARD OF COMMISSIONERS ON  
GRIEVANCES AND DISCIPLINE OF  
THE SUPREME COURT

## ORDER

The Board of Commissioners on Grievances and Discipline filed a final report in the office of the clerk of this court pursuant to BCGD Proc.Reg. 11(D), in which it accepted the agreement entered into by relator, Geauga County Bar Association, and respondent, Kim Gerette Martorana. The agreement set forth the misconduct and the agreed, recommended sanction of a six-month suspension with the entire suspension stayed. The board recommended that the agreement be accepted. The court, sua sponte, issued an order waiving the issuance of a show cause order, and this matter was submitted to the court on the report and record filed by the board. On January 12, 2012, the court remanded this matter to the board for further consideration. On December 10, 2012, the board filed a final report with a recommended sanction of a public reprimand.

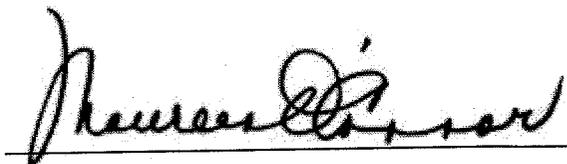
On consideration thereof, it is ordered and adjudged by this court that pursuant to Gov.Bar R. V(6)(B)(5), respondent, Kim Gerette Martorana, Attorney Registration Number 0060109, last known business address in Auburn Township, Ohio, be publicly reprimanded, and this entry shall constitute the public reprimand. This public reprimand shall be considered as a factor that may justify an increase in the degree of discipline to be imposed for subsequent misconduct.

It is further ordered that respondent be taxed the costs of these proceedings in the amount of \$930.08, which costs shall be payable to this court by cashier's check or money order on or before 90 days from the date of this order. It is further ordered that if these costs are not paid in full on or before 90 days from the date of this order, interest at the rate of 10% per annum shall accrue as of 90 days from the date of this order on the balance of unpaid board costs. 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 may be suspended until costs, including 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 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 respondent pursuant to Gov.Bar R. VIII(7)(F), 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 service shall be deemed made on respondent by sending this order, and all other orders in this case, to respondent's last known address.

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.

A handwritten signature in black ink, appearing to read "Maureen O'Connor", written over a horizontal line.

Maureen O'Connor  
Chief Justice