

The Supreme Court of Ohio

FILED

Case No. 2015-1316

MAY 18 2016

Disciplinary Counsel,
Relator,
v.
Sam Patrick Cannata and
Gerald Wayne Phillips,
Respondents.

ON CERTIFIED REPORT BY THE CLERK OF COURT
BOARD OF PROFESSIONAL CONDUCT
CONDUCT OF THE SUPREME COURT

ORDER

The Board of Professional Conduct filed its final report in this court on August 10, 2015, recommending that, pursuant to Gov.Bar R. V(12)(A)(3), respondents, Sam Patrick Cannata and Gerald Wayne Phillips, each be suspended from the practice of law for a period of six months, with the suspensions stayed in their entirety on the condition that each respondent commit no further misconduct. This matter was submitted to the court on the board's report and recommendation.

On consideration thereof, it is ordered and adjudged by this court that pursuant to Gov.Bar R. V(12)(A)(3) and consistent with the opinion rendered herein, respondents, Sam Patrick Cannata, Attorney Registration No. 0078621, last known business address in Cleveland, Ohio, and Gerald Wayne Phillips, Attorney Registration No. 0024804, last known business address in Avon Lake, Ohio 44012, are suspended from the practice of law for six months, all stayed on the condition that they engage in no further misconduct. It is further ordered that if either respondent engages in further misconduct, the stay of his suspension will be lifted and he will serve the full six-month suspension.

It is further ordered that respondents be taxed the costs of these proceedings, jointly and severally, in the amount of \$1,480.59, 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 and the matter may be referred to the Attorney General for collection. It is further ordered that respondents are liable for all collection costs pursuant to R.C. 131.02 if the debt is certified to the Attorney General for collection. It is further ordered that if costs are not paid in full on or before 90 days from the date of this order, respondents may be held in contempt and suspended until costs and all accrued interest are paid in full.

It is further ordered by the court that within 90 days of the date of this order, respondents shall reimburse any amounts that have been awarded against respondents by the Lawyers' Fund for Client Protection pursuant to Gov.Bar R. VIII(7)(F). It is further ordered by the court that if after the date of this order the Lawyers' Fund for Client Protection awards any amount against respondents pursuant to Gov.Bar R. VIII(7)(F), respondents shall reimburse that amount to the Lawyers' Fund for Client Protection within 90 days of the notice of such award.

It is further ordered that respondents shall keep the clerk and disciplinary counsel advised of any change of address where respondents may receive communications.

It is further ordered that service shall be deemed made on respondents by sending this order, and all other orders in this case, to respondents' 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(17)(D)(1) and that publication be made as provided for in Gov.Bar R. V(17)(D)(2).

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

Maureen O'Connor
Chief Justice