

IN THE SUPREME COURT OF OHIO

Disciplinary Counsel : Case No. 07-1157  
Relator : (Formerly Board Case No. 05-091)  
vs. :  
Honorable George Matthew Parker :  
Respondent :

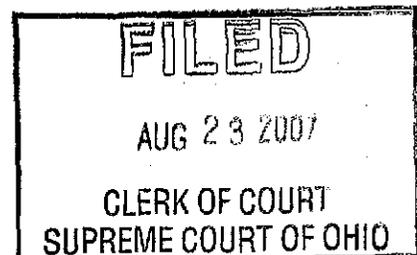
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**RESPONDENT'S MOTION TO STRIKE THE BRIEF  
OF WILLIAM SCHERPENBERG, AMICUS CURIAE**

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**RESPONDENT'S MOTION TO STRIKE THE BRIEF  
OF WILLIAM SCHERPENBERG, AMICUS CURIAE**

Now comes Respondent, the Honorable George Matthew Parker, and respectfully requests this Court strike the Amicus Curiae Brief filed by William Scherpenberg, for the reasons contained in the attached memorandum.

Respectfully submitted,



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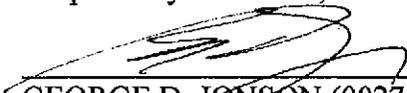
MEMORANDUM

Mr. Scherpenberg's brief is almost entirely a view from outside the record, in which Mr. Scherpenberg makes arguments based on the existence of facts not presented to the Hearing Panel. Indeed, Mr. Scherpenberg's brief does not contain a single citation to the Transcript of Proceedings or the exhibits accepted into evidence at the hearing. Although he did not testify at the hearing, Mr. Scherpenberg makes various assertions based on his personal knowledge. For example, Mr. Scherpenberg states:

As the Clerk of the Mason Municipal Court, I have been present for all but one of the matters considered by the Disciplinary Counsel in relation to George Parker. I can assure you that while the matters before you are predominantly true, they have been tainted with seemingly insignificant innuendo and purposefully compelling inaccuracies to ensure the desired effect of making the truth something different that it was. . . . Moreover, as I read the findings of the three-member board, later accepted by the full panel, I did not hear or see a lot of the facts I knew to be true or facts that would have helped the Panel reach a different/more reasonable conclusion.<sup>1</sup>

Mr. Scherpenberg's brief – based on facts not in the record and arguments unrelated to Respondent's objections – cannot assist the Court in adjudicating the objections raised by Respondent. Respondent therefore respectfully requests that the Amicus Curiae Brief of William Scherpenberg be stricken from the record.

Respectfully submitted,

  
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<sup>1</sup> Brief of William Scherpenberg, Amicus Curiae, pp. 5-6.

CERTIFICATE OF SERVICE

I served a copy of the foregoing by First-Class U.S. Mail, postage prepaid, upon Joseph M. Caligiuri, Office of Disciplinary Counsel, The Supreme Court of Ohio, 250 Civic Center Drive, Suite 325, Columbus, Ohio 43215-5454, on this 22<sup>nd</sup> day of August, 2007.



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GEORGE D. JONSON

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