

Disciplinary Counsel,

Case No. 06-1197

Relator,

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

v.

Bryan Bright Johnson,

Respondent.

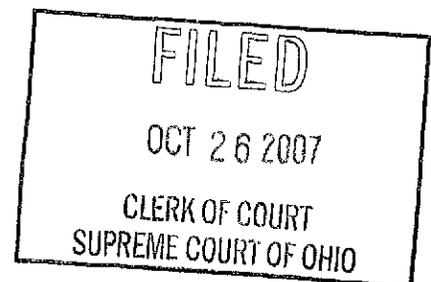
RESPONDENT'S SECOND SUPPLEMENTAL AFFIDAVIT OF COMPLIANCE

BRYAN BRIGHT JOHNSON
Respondent
One East Livingston Avenue
Columbus, Ohio 43215-5700
Telephone: 614-280-9593
Facsimile: 614-365-9741
Pro Se

JONATHAN E. COUGHLAN (0026424)
Disciplinary Counsel
Relator
250 Civic Center Drive, Suite 325
Columbus, OH 43215-7411
Telephone: 614-461-0256
Facsimile: 614-461-7205

ROBERT R. BERGER (0064922)
Counsel of Record
Assistant Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, OH 43215-7411
Telephone: 614-461-0256
Facsimile: 614-461-7205

Counsel for Relator



RESPONDENT'S SECOND SUPPLEMENTAL AFFIDAVIT OF COMPLIANCE

STATE OF OHIO,

COUNTY OF FRANKLIN, SS:

Now comes Bryan B. Johnson, respondent in the above proceeding, and after being duly cautioned and sworn do state that I have complied with this court's May 16, 2007 order, a copy of which is attached hereto as Exhibit A.

1. On July 14, 2007, respondent filed his affidavit of compliance with this court. On September 28, 2007, respondent filed his supplemental affidavit of compliance with this court, updating this court on the status of his efforts to comply with the May 16, 2007 order. Respondent now submits this second supplemental affidavit of compliance in his continuing efforts to update this court on the status of his efforts to comply with the May 16, 2007 order.

The only remaining action is the CLE requirement of the order, which Respondent has complied with, but does not yet have a certified transcript. Respondent shall file another supplemental affidavit showing full compliance with all requirements of the May 16, 2007 order with his application for reinstatement.

2. Respondent has paid in full the Fifty-Five Thousand Five Hundred Forty-Four and 09/100 Dollar (\$55,544.09) amounts as ordered in this court's May 16, 2007 order, as follows:

- A. On August 14, 2007 Respondent paid to the supreme court of Ohio the amount of Five Thousand Five Hundred Forty-Four and 09/100 Dollars (\$5,544.09) as the costs of this proceeding. The original Receipt from this court's clerk is attached hereto as Exhibit B.
- B. On October 11, 2007 Respondent paid to the Franklin county probate court the amount of Fifty Thousand Dollars (\$50,000) as restitution for the Bryan and Lauder matters (Exhibit C). That court allocated Twenty-Five Thousand Dollars (\$25,000) to Bryan, as evidenced by attached Exhibit D, and Twenty-Five Thousand Dollars (\$25,000) to Lauder, as evidenced by attached Exhibit E.
3. Respondent has completed the CLE required by this Court's May 16, 2007 order, and shall file verification of same with his application for reinstatement.
4. Respondent previously sent notice by certified mail, return receipt requested, to all clients being represented in pending matters and any co-counsel of his suspension and consequent disqualification to act as an attorney after the May 16, 2007 effective date of this court's May 16, 2007 order, and in the absence of co-counsel, also notified the clients to seek legal services elsewhere, calling attention to any urgency in seeking the substitution of another attorney in respondent's place. Submitted previously were copies of the white receipts kept for all such certified mail sent, and those green receipts which had been returned as of the date of filings of Respondent's previous affidavits of compliance.
5. Respondent also previously sent notice by certified mail, return receipt requested, to all 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 filed 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. Submitted previously were copies of the white receipts kept for all such certified mail sent, and those green receipts which had been returned as of the date of filings of Respondent's previous affidavits of compliance.

6. Respondent has maintained and retained a record of the various steps taken by respondent pursuant to this court's May 16, 2007 order.
7. Respondent has made additional due and diligent effort to find his attorney registration card for the 2005/2007 biennium for purposes of surrendering same, but it has been lost or misplaced.
8. On October 17, 2007 respondent's employer law firm received a telephone call from the Franklin County Probate Court asking whether respondent or the law firm represented Sandra Osborne, the prior guardian in the guardianship of Mary Ellen Hagan. Ms. Osborne had previously been represented by respondent, but both Ms. Osborne and respondent understood that matter was concluded in 2003, confirmed by the fact there had been no contact from the other attorneys for the 4-1/2 years since that date. Ms. Osborne's affidavit verifying this matter was not pending at the time of respondent's suspension is attached hereto as Exhibit F.

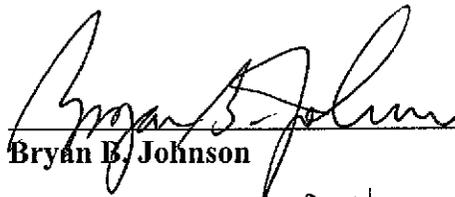
On October 18, 2007, respondent notified the client, and with the client's consent respondent's employing law firm filed a notice of appearance for Ms. Osborne that same day, to the extent any representation is necessary. The notice

was mailed by certified U.S. mail, return receipt requested, and copies of the green certified mail receipts are attached hereto collectively as Exhibit G.

Respondent did not perform any legal services in this case or for this client from 2003 through to and including the date of this affidavit.

9. Respondent's address to receive communications continues to be at One East Livingston Avenue, Columbus, Ohio 43215-5700, telephone number 614-280-9593, facsimile number 614-365-9741.

FURTHER AFFIANT SAYETH NAUGHT.


Bryan B. Johnson

Sworn to and subscribed in my presence by Bryan Johnson on this 26th day of October,

2007.

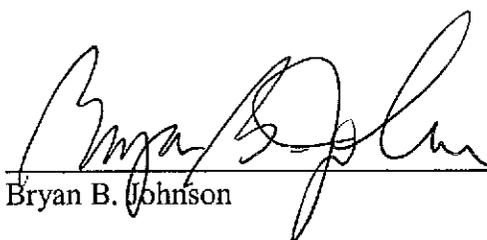


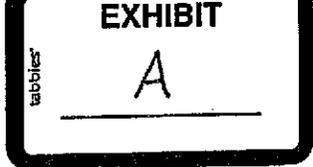
CYNTHIA L. NESSER
Notary Public, State of Ohio
My Commission Expires 02-27-10


Cynthia L. Nesser
Notary Public

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon Robert R. Berger, Jr., assistant disciplinary counsel, Supreme Court of Ohio Disciplinary Counsel, 250 Civic Center Drive, suite 325, Columbus, Ohio 43215-5454, by ordinary U.S. Mail, postage pre-paid, on this 26th day of October, 2007.


Bryan B. Johnson



FILED

MAY 16 2007

MARCIA J. MENGEL, CLERK
SUPREME COURT OF OHIO

The Supreme Court of Ohio

Case No. 06-1197

Disciplinary Counsel,
Relator,
v.
Bryan Bright Johnson,
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 its Final Report in this court on June 21, 2006, recommending that pursuant to Rule V(6)(B)(5) of the Supreme Court Rules for the Government of the Bar of Ohio the respondent, Bryan Bright Johnson, be publicly reprimanded. Respondent and relator filed objections to said Final Report, relator and respondent filed answers, and this cause was considered by the court. On consideration thereof,

It is ordered and adjudged by this court that pursuant to Gov.Bar R. V(6)(B)(3) and consistent with the opinion rendered herein, respondent, Bryan Bright Johnson, Attorney Registration Number 0003981, last known business address in Columbus, Ohio, be suspended from the practice of law for a period of one year with the last six months of the suspension stayed. To ensure that respondent returns to the ethical practice of law, it is further ordered that respondent serve a six-month probationary period. It is further ordered that during the probation period, in addition to the requirements of Gov.Bar R. V(9), respondent shall advise any probate court in which he practices that he has been disciplined for excessive fee applications. It is further ordered that if respondent fails to comply with this condition, the stay shall be lifted, and respondent shall serve the entire one-year suspension. It is further ordered that, as a condition of reinstatement, respondent must file proof that he has paid \$50,000 in restitution to the probate court for disbursement as assets of Bryan and Lauder.

It is further ordered that the respondent immediately cease and desist from the practice of law in any form and is hereby forbidden to appear on behalf of another before any court, judge, commission, board, administrative agency or other public authority.

It is further ordered that respondent is hereby forbidden to counsel or advise or prepare legal instruments for others or in any manner perform such services.

It is further ordered that the respondent is hereby 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 respondent be taxed the costs of these proceedings in the amount of Five Thousand Five Hundred Forty-Four Dollars and Nine Cents (\$5,544.09), which costs shall be payable to this court by certified 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 respondent may not apply for reinstatement until such time as respondent pays costs in full, including any accrued interest.

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(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, 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 the 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 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 respondent shall not be reinstated to the practice of law in Ohio and placed on probation for a period of six months until (1) respondent files proof of restitution; (2) respondent complies with the requirements for reinstatement set forth in the Supreme Court Rules for the Government of the Bar of Ohio; (3) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio; (4) respondent complies with this and all other orders of the court; and (5) this court orders respondent reinstated.

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 the possession or control of respondent;
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 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 respondent 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 on or before 30 days from the date of this order, respondent surrender the attorney registration card for the 2005/2007 biennium.

It is further ordered that respondent shall keep the Clerk and the Disciplinary Counsel 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.

I HEREBY CERTIFY that this document is a true and accurate copy of the entry of the Supreme Court of Ohio filed 5/16/07 in Supreme Court case number 06-1197

In witness whereof I have hereunto subscribed my name and affixed the seal of the Supreme Court of Ohio on this 16 day of May, 2007

MARCIA J. MENGEL, Clerk
by [Signature], Deputy

[Signature]
THOMAS J. MOYER
Chief Justice

EXHIBIT
B



State of Ohio
GENERAL RECEIPT

1586381

Fund Attorney Registration

8/14/07 1907

RECEIVED FROM Bryan B. Johnson

\$ 5,544 09

Five thousand five hundred forty-four Dollars nine Cents

For Payment of board costs, OG-1197, Disciplinary Counsel v. Johnson

Cash

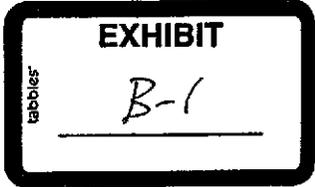
Check

M.O.

By Jocella Jones

GEN 1017

329372625



FOR YOUR PROTECTION SAVE THIS COPY
OFFICIAL CHECK

Customer Copy

329372625

Ohio

08/14/2007

Remitter BRYAN B JOHNSON

Pay To The
Order Of

SUPREME COURT OF OHIO

\$ *****5,544.09 ***

Drawer: JPMORGAN CHASE BANK, N.A.

NON NEGOTIABLE

TERMS

KEEP THIS COPY FOR YOUR RECORD OF THE TRANSACTION. TO REPORT A LOSS OR FOR ANY OTHER INFORMATION ABOUT THE INSTRUMENT, CONTACT THE INSTITUTION FROM WHICH YOU RECEIVED THE INSTRUMENT.

499156143950 Rev. 1 3/05 M 62807-M

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

OFFICIAL CHECK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK



329372625 10-86
220

Date 08/14/2007

Ohio

Remitter BRYAN B JOHNSON

Pay: FIVE THOUSAND FIVE HUNDRED FORTY FOUR DOLLARS AND 09 CENTS

\$ *****5,544.09 ***

Pay To The
Order Of

SUPREME COURT OF OHIO

Drawer: JPMORGAN CHASE BANK, N.A.

Stephen P. Hughes

First Vice President

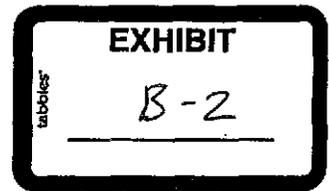
Issued by Integrated Payment Systems Inc., Englewood, Colorado
To Citibank, N.A., Buffalo, NY

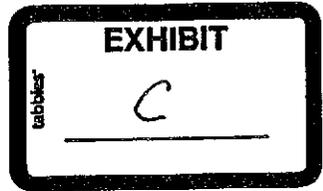


⑈ 3 7000 2⑈ ⑆ 0 2 2000866⑆ 25003 293 7 26 259⑈

Docket

05/16/07	DECISION: Attorney suspended for a period of 1 year with last 6 months stayed and six months probation with conditions. See opinion at 2007-Ohio-2074 
05/18/07	Return receipt; received by Bryan Johnson (no date) (R&B)
05/18/07	Return receipt for Benson Wolman, Esq.
06/13/07	Return receipt for Susan B. Gellman, Esq.
06/14/07  View	Affidavit of compliance with statement that attorney registration card has been lost or misplaced <i>Filed by: Johnson, Bryan</i>
08/14/07	Payment of board costs in the amount of \$5,544.09 by Bryan B. Johnson; receipt #1586381 <i>Filed by: Johnson, Bryan</i>





FOR YOUR PROTECTION SAVE THIS COPY
OFFICIAL CHECK

Customer Copy

140854240

10/10/2007

Ohio

Remitter BRYAN B JOHNSON

Pay To The
Order Of

PROBATE COURT

\$ *****50,000.00 ***

Drawer: JPMORGAN CHASE BANK, N.A.

NON NEGOTIABLE

TERMS

KEEP THIS COPY FOR YOUR RECORD OF THE TRANSACTION. TO REPORT A LOSS OR FOR ANY OTHER INFORMATION ABOUT THE INSTRUMENT, CONTACT THE INSTITUTION FROM WHICH YOU RECEIVED THE INSTRUMENT.

499156243840 Rev.1 3/05 M 62806-1/50185-0

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK



OFFICIAL CHECK

140854240 10-86
220

Date 10/10/2007

Ohio

Remitter BRYAN B JOHNSON

Pay: FIFTY THOUSAND DOLLARS AND 00 CENTS

\$ *****50,000.00 ***

Pay To The
Order Of

PROBATE COURT

Drawer: JPMORGAN CHASE BANK, N.A.

Stephen P. Hughes

First Vice President

Issued by Integrated Payment Systems Inc., Englewood, Colorado

To Citibank, N.A., Buffalo, NY



⑈ 3 7000 2⑈ ⑆ 0 2 2000 8 6 8 ⑆ 2 500 1 408 5 4 2 40 9 ⑈

**FRANKLIN COUNTY PROBATE COURT
LAWRENCE A. BELSKIS, JUDGE**

**373 South High Street, 22nd Floor
Columbus, Ohio 43215-6311
(614) 462-3894**



Primary Copy
page 1

THIS IS YOUR RECEIPT

Case No: 525249
Case Name: BRYAN, HELEN
Case Type: ESTATE
MISCELLANEOUS

Receipt No: **297409**
Date: 10/11/2007

Received From: **BRYAN B. JOHNSON**

Checks Applied:	# 0001408542	\$25,000.00	

Tendered:			\$25,000.00
Total Cost:	(see charges below)		\$25,000.00

Change:			\$.00
----- charges -----			
Restitution			25,000.00

			25,000.00

LAWRENCE A. BELSKIS, Probate Judge

By: _____


Deputy Clerk

FRANKLIN COUNTY PROBATE COURT
LAWRENCE A. BELSKIS, JUDGE

373 South High Street, 22nd Floor
Columbus, Ohio 43215-6311
(614) 462-3894



Primary Copy
page 1

THIS IS YOUR RECEIPT

Case No: 525250
Case Name: LAUDER, LUCILLE
Case Type: ESTATE
MISCELLANEOUS

Receipt No: **297410**
Date: 10/11/2007

Received From: **BRYAN B. JOHNSON**

Checks Applied:	# 0001408542	\$25,000.00	

Tendered:			\$25,000.00
Total Cost:	(see charges below)		\$25,000.00

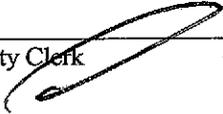
Change:			\$.00

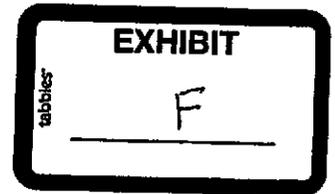
	----- charges -----	
Restitution		25,000.00

		25,000.00

LAWRENCE A. BELSKIS, Probate Judge

By: _____

Deputy Clerk 



AFFIDAVIT

State of Ohio
County of Franklin; SS:

Now comes Sandra Osborne, who after being first duly cautioned and sworn, does state as follows:

1. I served as court appointed guardian for my mother, Mary Ellen Hagan, from May 26, 1999 until January 3, 2002. This guardianship was administered in the Probate Court of Franklin County, Ohio, under case number 465,758. I was represented by attorney Bryan B. Johnson in those guardianship proceedings.
2. My mother died on April 15, 2002.
3. The last involvement I had with this guardianship was in 2003. I thought this matter was concluded at that time. On October 18, 2007 I received a telephone call from the law firm of Gamble Hartshorn, LLC, at which time I consented to attorney Ray P. Drexel representing me in this guardianship.
4. I understand that Bryan B. Johnson is suspended from the practice of law, and cannot practice law. I have received no legal advice from Mr. Johnson, and he has performed no legal services for me, since 2003.

FURTHER AFFIANT SAYETH NAUGHT.

Sandra Osborne
Sandra Osborne

Sworn to and subscribed in my presence by Sandra Osborne on this 22nd day of October, 2007.

Cynthia L. Nesser
Notary Public



CYNTHIA L. NESSER
Notary Public, State of Ohio
My Commission Expires 02-27-10

7007 0220 0004 6208 0330

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 41	Postmark Here
Certified Fee	2.65	
Return Receipt Fee (Endorsement Required)	2.15	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 5.21	

Sent To
Jonathan M. Bryan, Esquire
McNamara and McNamara,
L.L.P.
33 E. Broad St., Ste 1250
Columbus, OH 43215-3558

PS Form 3800

Instructions

7007 0220 0004 6208 0347

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.41	Postmark Here
Certified Fee	2.65	
Return Receipt Fee (Endorsement Required)	2.15	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 5.21	

Sent To
Adam R. Rinehart, Esquire
Talbot & Rinehart
1180 S. High St.
Columbus, OH 43206

PS Form 3800, April 2003

Instructions

EXHIBIT
G

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jonathan M. Bryan, Esquire
McNamara and McNamara,
L.L.P.
33 E. Broad St., Ste 1250
Columbus, OH 43215-3558

Re: Hoya

2. Article Number
(Transfer from service label)

7007 0220 0004 6208 0330

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Thomas S. Petit Agent
 Addressee

B. Received by (Printed Name)
Debra S. Petit

C. Date of Delivery
10/22/07

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Adam R. Rinehart, Esquire
Talbot & Rinehart
1180 S. High St.
Columbus, OH 43206

Re: Hoya

2. Article Number
(Transfer from service label)

7007 0220 0004 6208 0347

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 J. Rinehart Agent
 Addressee

B. Received by (Printed Name)
J. Rinehart

C. Date of Delivery
10-22-07

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes