

THE SUPREME COURT OF OHIO

DAYTON BAR ASSOCIATION

Realtor,

v.

NICHOLAS L. GERREN, JR.

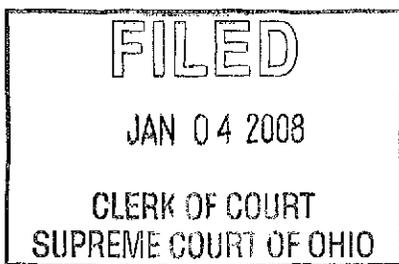
Respondent,

Case No. 06-442

MOTION FOR REINSTATEMENT

Now comes Respondent and respectfully moves that the Court order that he be reinstated to the practice of law. Respondent states that on September 13, 2006, this Court Ordered that he be suspended from the practice for a period of eighteen months, with the last six months being stayed upon conditions. Respondent further states that he has complied with the conditions of stay, substantially complied with the requirements for reinstatement in accordance with Supreme Court Rules for the Government of the Bar, that he has otherwise complied with the Supreme Court Rules for the Government of the Bar, has paid all costs of proceedings within the time required and that he has complied with Gov. Bar R. X, Section 3(G).

Respondent's Affidavit In Support of this Motion is attached hereto.



Respectfully submitted,

[Handwritten signature of Nicholas L. Gerren, Jr.]

Nicholas L. Gerren, Jr.
1582 Cambron Court
Vandalia, Ohio 45377
(937) 602-5945

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion For Reinstatement was served upon L. Anthony Lush, Attorney For Realtor, Dayton Bar Association, 2160 Kettering Tower, Dayton, OH 45402 and the Board On Grievances and Discipline, 65 S. Front St., Columbus, OH 43215, by ordinary U.S. Mail, postage prepaid, on the date of filing.

[Handwritten signature of Nicholas L. Gerren, Jr.]
Nicholas L. Gerren, Jr., Respondent

AFFIDAVIT IN SUPPORT

STATE OF OHIO

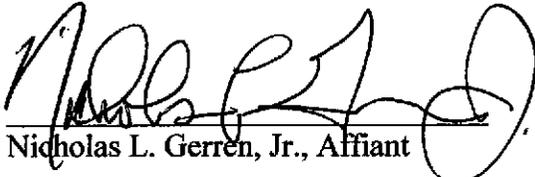
: SS

COUNTY OF MONTGOMERY

Now comes Nicholas L. Gerren, Jr., the Affiant herein, and first being duly cautioned and sworn, states as follows:

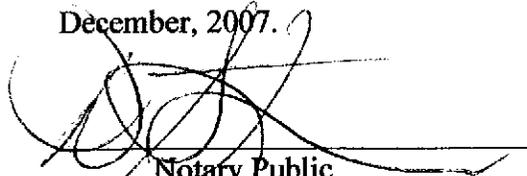
1. I am the Respondent in Ohio Supreme Court Case No. 06-442;
2. I completed six credit hours of continuing legal education in law office management during the term of my actual suspension;
3. I have complied with the continuing legal education requirements of Gov. Bar R. X, Section 3(G);
4. I have complied with all other requirements of the conditions of the stay;
5. The salient factors surrounding the Court's Finding of Contempt on October 25, 2007 are set forth in Exhibit A and Exhibit B attached hereto;
6. The Respondent's Statement of Partial Compliance with Affidavit, filed on December 27, 2006, is incorporated herein by reference.

Further Affiant sayeth naught.



Nicholas L. Gerren, Jr., Affiant

Sworn to before me and subscribed to in my presence this 31st day of
December, 2007.



Notary Public

My Commission Expires 3/07 at Law
Notary Public, State of Ohio
My Commission Has No Expiration Date
Section 147.03

The Supreme Court of Ohio

OFFICE OF THE CLERK

65 SOUTH FRONT STREET, COLUMBUS, OH 43215-3431

CHIEF JUSTICE
THOMAS J. MOYER

CLERK OF THE COURT
MARCIA J. MENGEL

JUSTICES
PAUL E. PFEIFER
EVELYN LUNDBERG STRATTON
MAUREEN O'CONNOR
TERRENCE O'DONNELL
JUDITH ANN LANZINGER
ROBERT R. CUPP

TELEPHONE 614.387.9530
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March 6, 2007

Nicholas L. Gerren, Jr.
1582 Cambron Court
Vandalia, OH 45377

Re: *Dayton Bar Association v. Nicholas L. Gerren, Jr.*
Case Number 2006-0442

Dear Mr. Gerren:

The enclosed response to the show cause order issued on February 13, 2007, could not be filed because it is untimely. The deadline for filing the response was 5 p.m., March 5, 2007; unfortunately, it was not received until today. The Clerk's Office is prohibited from filing documents not received in the Clerk's Office by the deadline. See S. Ct. Prac. R. XIV (1)(A) and S. Ct. Prac. R. XIV(1)(C).

A copy of the Rules of Practice is enclosed for your reference.

Sincerely,
Clerk's Office

Enclosures

THE SUPREME COURT OF OHIO

DAYTON BAR ASSOCIATION

Realtor,

Case No. 06-442

v.

NICHOLAS L. GERREN, JR.

Respondent,

REPLY OF RESPONDENT TO
ORDER TO SHOW CAUSE

Now comes Respondent to reply to the Order of this Court to show cause why he should not be found in contempt for failing to comply with the Court's Order of September 13, 2006 by failing to file an affidavit of compliance on or before October 13, 2006.

By way of explanation, and without excuse, Respondent states that through mistake and inadvertence, he failed to differentiate between the thirty and ninety day requirements of the Order of September 13, 2006. Appearing pro se and the emotional shock and upset resulting from the Order were contributing factors.

In mitigation, Respondent states that he did later substantially comply with all elements of the Order of September 13, 2006. Only the CLE requirements of that Order remain outstanding. Further, Respondent has always fully and timely cooperated with all parties and this Court in the past and deeply regrets this incident.

Respectfully submitted
[Signature]
Nicholas L. Gerren, Jr., Respondent
1582 Cambron Court
Vandalia, Ohio 45377
(937) 602-5945

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Reply was served upon L. Anthony Lush, Attorney For Realtor, Dayton Bar Association, 2160 Kettering Tower., Dayton, OH 45423 and the Board On Grievances and Discipline, 65 S. Front St., Columbus, OH 43215, by ordinary U.S. Mail, postage prepaid, on the date of filing.

[Signature]
Nicholas L. Gerren, Jr., Respondent

RECEIVED
MAR 06 2007
MARCIA LAMENCEL CLERK

Elizabeth Elliott, M.A., AAMFT, LPC

*Heritage House Building
2323 Schantz Avenue - Suite 211
Dayton, Ohio 45409
(937) 299-6446*

December 20, 2007

RE: Nicholas L. Gerren, Jr.
Atty. Reg. No. 0032341

To Whom It May Concern

On referral from the Lawyer's Assistance Program, I have been seeing Nicholas L. Gerren, Jr., Attorney Registration No. 0032341, on a regular basis since June 25, 2004. At the time of the initial sessions, Nick appeared to be struggling with feelings of remorse associated with his failure to operate his practice within the standards set up by the bar. He felt that he had failed both his family and his community. When this suspension was announced, he was also grieving the death of his father, an internationally known classical musician and educator, who died in November of 2003.

I have seen Nick a total of 44 sessions. He participated in treatment in an entirely cooperative manner. I have observed consistent growth in this man. During the period of this suspension, he has sought to make positive contributions to the community. Initially, he volunteered his talents at Dayton Public Radio. Nick noted that being around the music was like applying salve to an open wound. He also taught Constitutional Law, Criminal Law, and International Politics at Central State University. He presently works for the Dayton Urban League as Special Assistant to the President and CEO.

In my opinion, Nick is fully capable of practicing law competently and ethically. He is exceptionally well read, conversant with current political issues as well as philosophy, and after 31 years of legal practice, he is uniquely qualified to be a leading contributor to the City of Dayton, Ohio.

Sincerely,

Liz Elliott, M.A., AAMFT, LPC.

Liz Elliott, M.A., AAMFT, LPC