

**BEFORE THE BOARD OF COMMISSIONERS
ON
GRIEVANCES AND DISCIPLINE
OF
THE SUPREME COURT OF OHIO**

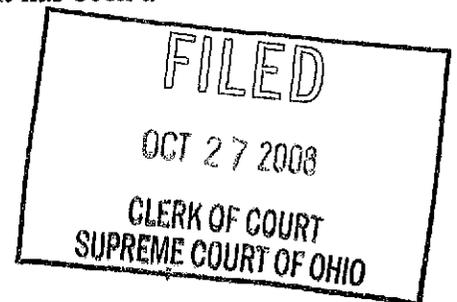
08-2097

In Re:	:	
Complaint against	:	Case No. 07-038
George Nicholas Kafantaris Attorney Reg. No. 0022083	:	Findings of Fact, Conclusions of Law and Recommendation of the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio
Respondent	:	
Trumbull County Bar Association	:	
Relator	:	

This matter was heard on April 10, 2008 and May 27, 2008 in Columbus, Ohio, before a panel consisting of members Judge Harvey J. Bressler, Lynn B. Jacobs and Joseph L. Wittenberg, Chair of the Panel. None of the panel members resides in the appellate district from which this matter arose or served on the probable cause panel in this case. The Relator was represented by Randil J. Rudloff and Curtis J. Ambrosy. The Respondent was represented by Mark G. Kafantaris, his son, and John A. Hollister. Mr. Hollister is licensed in the State of Louisiana and was admitted *pro hac vice* for this case. The Respondent was present at the hearing.

INTRODUCTION

Respondent, George Nicholas Kafantaris, was admitted to the practice law in the State of Ohio on May 11, 1981 and is subject to the Code of Professional Responsibility and the Rules for the Government of the Bar of Ohio. The Respondent has been a practicing attorney in Warren, Ohio since 1981.



Relator filed its first complaint against Respondent on June 11, 2007. On June 18, 2007, Relator filed an amended complaint against the Respondent and on March 3, 2008 filed a second amended complaint against the Respondent. The amended complaint and second amended complaint allege the following violations:

COUNT ONE

DR 9-102(A)(2) [a lawyer shall maintain client's funds in a separate identifiable bank account];

DR 9-102(B)(3) [a lawyer shall maintain complete records of all funds, securities, and other properties of a client coming into the possession of a lawyer and render appropriate accounts to his client regarding them];

DR 9-102(B)(4) [a lawyer shall promptly pay to the client funds, securities and other properties in the lawyer's possession which the client is entitled to receive];

DR 1-102(A)(5) [a lawyer shall not engage in conduct that is prejudicial to the administration of justice];

Gov. Bar R.V(4)(G) [a lawyer shall cooperate with and assist in any disciplinary investigation].

COUNT TWO

DR 1-102(A)(4) [a lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation];

DR 1-102(A)(5) [a lawyer shall not engage in conduct that is prejudicial to the administration of justice];

DR 1-102(A)(6) [a lawyer shall not engage in any other conduct that adversely reflects on the lawyer's fitness to practice law];

DR 7-102(A)(3) [a lawyer shall not conceal or knowingly fail to disclose that which he is required by law to reveal];

DR 9-102(B)(3) [a lawyer shall maintain complete records of all funds, securities, and other properties of a client coming into the possession of a

lawyer and render appropriate accounts to his client regarding them];

DR 9-102(B)(4) [a lawyer shall promptly pay to the client the funds, securities, and other properties in the possession of the lawyer which the client is entitled to receive].

Gov. Bar R.V(4)(G) [a lawyer shall cooperate with and assist in any disciplinary investigation].

COUNT THREE

DR 1-102(A)(4) [a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation];

DR 1-102(A)(5) [a lawyer shall not engage in conduct that is prejudicial to the administration of justice];

DR 1-102(A)(6) [a lawyer shall not engage in any other conduct that adversely reflects on the lawyer's fitness to practice law];

DR 7-102(A)(3) [a lawyer shall not conceal or knowingly fail to disclose that which he is required by law to reveal].

Findings of Fact/ Count One

The Irene Nicole Heasley Matter

Respondent was retained by Irene Nicole Heasley ("Heasley") to represent Heasley in a domestic relations matter in the Mahoning County, Domestic Relations Court, in which Heasley's husband was attempting to obtain for child support purposes, some or all of certain annuity funds Heasley was to receive in the total sum of \$114,426. In resolution of those proceedings, Respondent received two checks payable to Heasley, both dated May 15, 2006, one for \$80,000 and the other for \$34,426. Respondent delivered the check for \$34,426 to Heasley. This check/sum is not an issue in this case. The check for \$80,000 was endorsed by Heasley and deposited by Respondent into Respondent's IOLTA trust account. On May 15, 2006, Respondent,

per order of the Mahoning County Domestic Relations Court, wrote a check on his IOLTA trust account for \$20,000 and deposited the \$20,000 into a restricted bank account at Sky Bank to provide future child support for Heasley's minor daughter. This check/sum is not an issue in this case. Respondent further deducted the sum of \$5,000 for his fees. This check/sum is not an issue in this case. Respondent also wrote a check from his IOLTA trust account to repay a loan owed by Heasley to a Emmanuel Anglis in the sum of \$1,600. This check/sum is not an issue in this case. Respondent also wrote checks to Heasley at her request from his IOLTA trust account in the sum of \$1,500. These checks/sums are not an issue in this case.

As of May 31, 2006, Respondent held \$51,900 of Heasley's money in his IOLTA trust account.

From June 1, 2006 through March 18, 2007, Respondent made distributions to Heasley from time to time as she requested, but Respondent also transferred via internet banking/electronic transfer substantial sums of Heasley's money from Respondent's IOLTA trust account to Respondent's office/personal checking account which did not represent fees or other sums to which Respondent was entitled. Respondent used Heasley's money for his own uses and purposes, and without Heasley's knowledge, consent or permission.

In the month of June, 2006, Respondent wrote checks on his IOLTA trust account of \$3,000 to or for the benefit of Heasley. As of June 30, 2006, Respondent's IOLTA trust account should have contained \$48,900 of Heasley's money. Respondent's IOLTA trust account balance on June 30, 2006 was \$27,153.43.

In the month of July, 2006, Respondent wrote checks on his IOLTA trust account of \$1,424.50 to or for the benefit of Heasley. As of July 31, 2006, Respondent's IOLTA trust account should have contained \$47,475.50 of Heasley's money. Respondent's IOLTA trust account balance on July 31, 2006 was \$18,061.27.

In the month of August, 2006, Respondent wrote checks on his IOLTA trust account of \$4,885 to or for the benefit of Heasley. As of August 31, 2006, Respondent's IOLTA trust account should have contained \$42,590.50 of Heasley's money. Respondent's IOLTA trust account balance on August 31, 2006 was \$5,084.27.

In the month of September, 2006, Respondent wrote checks on his IOLTA trust account of \$6,451.56 to or for the benefit of Heasley. As of September 30, 2006, Respondent's IOLTA trust account should have contained \$36,138.94 of Heasley's money. Respondent's IOLTA trust account balance on September 30, 2006 was \$5,698.44.

At some point in time Heasley requested the balance of her money from Respondent. Respondent refused to give her the money. Heasley then consulted with Attorney Thomas E. Schubert about Respondent's alleged refusal to give Heasley her money.

Respondent received a letter from Attorney Schubert directing that all of Heasley's funds be accounted for and paid over to Heasley in care of Attorney Schubert. At the time of that letter, September 26, 2006, Respondent should have been holding \$36,138.94 of Heasley's money. Respondent's IOLTA trust account balance on September 26, 2006 was \$90.11.

Attorney Schubert filed a grievance against Respondent and the Trumbull

County Bar Association instituted an investigation. Attorney Edward Levelle was assigned the investigation. On October 26, 2006, Levelle met with Respondent and requested that Respondent provide a complete accounting for all of Heasley's money. Levelle also requested Respondent to provide copies of his IOLTA trust account bank statements from May of 2006 through October 26, 2006. As of October 26, 2006, Respondent's IOLTA trust account should have contained \$30,802.59 of Heasley's money. Respondent's IOLTA trust account balance on October 25, 2006 was \$5,643.97. Respondent did not provide the Bar's investigator with any of the requested materials. After Respondent met with the investigator, Respondent continued to write checks from his IOLTA trust account to or on behalf of Heasley. During the month of November, 2006, Respondent wrote checks on his IOLTA trust account of \$5,840 to or on behalf of Heasley. On or about November 22, 2006, Respondent received on Heasley's behalf the sum of \$1,726 in property damage insurance proceeds arising from a motor vehicle accident in which Heasley was involved on October 5, 2006. That sum was deposited into Respondent's IOLTA trust account. As of November 30, 2006, Respondent's IOLTA trust account should have contained \$26,688.59 of Heasley's money. Respondent's IOLTA trust account balance on November 30, 2006 was \$298.63.

In the month of December 2006, Respondent wrote checks on his IOLTA trust account of \$3,724.85 to or on behalf of Heasley. As of December 31, 2006, Respondent's IOLTA trust account should have contained \$22,964.74 of Heasley's money. Respondent's trust account balance on December 31, 2006 was \$5,397.89.

On January 2, 2007, the Trumbull County Bar investigator again requested a complete accounting of all of the money held by Respondent for Heasley and copies of Respondent's trust account statements for the period May 2006 to the current date.

During the month of January 2007, Respondent wrote checks on his IOLTA trust account of \$4,013 to or on behalf of Heasley. As of January 31, 2007, Respondent's IOLTA trust account should have contained \$19,950.74 of Heasley's money. Respondent's trust account balance on January 31, 2007 was \$45,441.14 with a low balance of \$636.89 as of January 29, 2007.

In February of 2007, Respondent wrote checks on his IOLTA trust account of \$3,582.81 to or on behalf of Heasley. In February of 2007, Respondent settled the bodily injury portion of Heasley's October 5, 2006 motor vehicle accident case for \$12,000, which Respondent deposited in his IOLTA trust account. As of February 28, 2007, Respondent's trust account should have contained the sum of \$27,367.93 of Heasley's money. Respondent's IOLTA trust account balance of February 28, 2007 was \$15,119.87 with a low balance of \$10,564.84 as of February 26, 2007.

In March of 2007, Respondent wrote checks of \$11,854.23 to or on behalf of Heasley. As of March 31, 2007, Respondent's IOLTA should have contained \$15,513.70 of Heasley's money. Respondent's IOLTA trust account balance on March 31, 2007 was \$1,056.97.

On March 13, 2007, the investigator for the Trumbull County Bar Association again wrote Respondent advising Respondent that he had not provided an accounting for Heasley's money or copies of Respondent's bank account statements. The investigator requested Respondent provide an accounting for the money he was

holding from Heasley's motor vehicle accident settlement. Respondent did not provide the investigator any of the documents or records that the investigator had requested. Approximately a year after the Trumbull County Bar Association first requested an accounting for Heasley's money and copies of Respondent's IOLTA trust account bank statements, Respondent finally provided the accounting for Heasley's money and copies of his IOLTA trust account bank statements. These documents were provided on or about October 24, 2007.

On or about October 24, 2007, Respondent issued a check from his office/business account to Heasley for \$1,324.28. As of the end of October, 2007, Respondent was not holding any of Heasley's money.

Respondent states that he advanced cash to Heasley of at least \$1,010, paid various expenses for her of at least \$3,354.09, provided legal services valued at \$2,250 and provided her living quarters valued at \$3,000, for total non check expenditures of \$9,605.09.

Respondent does not maintain written records of the funds he holds on deposit in his IOLTA trust account for each of his clients. Instead, Respondent relies on his memory as to what funds he holds for each client and what funds he has disbursed for each client.

Respondent testified that he provided a great deal of personal support for Heasley, including the many times he took her to hospitals, was available to assist her at all hours of the day or night, including when she ran out of gas, when she need another distribution of her funds, or when she was pursued in the "underground drug world."

Respondent testified that he counseled her at length about her drug problems, sought ways to wean her off of drugs, encouraged her to attend support groups and tried to enroll her in the Donofrio Drug Rehabilitation Center in Youngstown.

Respondent admits all of the allegations in Relator's complaint concerning Heasley.

After the final distribution of Heasley's money was made to her in October of 2007, Respondent continued to put Heasley up at his rental apartment, buy her groceries and supplies and purchase meals for her at local restaurants.

Conclusions of Law as to Count One

Based upon the above facts, the panel finds by clear and convincing evidence

Respondent violated the following:

DR 9-102(A)(2) [a lawyer shall maintain client's funds in a separate identifiable bank account];

DR 9-102(B)(3) [a lawyer shall maintain complete records of all funds, securities, and other properties of a client coming into the possession of a lawyer and render appropriate accounts to his client regarding them];

DR 9-102(B)(4) [a lawyer shall promptly pay to the client the funds, securities and other properties in the lawyer's possession which the client is entitled to receive];

DR 1-102(A)(5) [a lawyer shall not engage in conduct that is prejudicial to the administration of justice].

The panel finds that there is not clear and convincing evidence that Respondent violated Gov. Bar R.V(4)(G) and dismisses that allegation.

Findings of Fact/Count Two

The Carol J. Williams Estate Matter

Carol J. Williams (Carol) hired Respondent to represent her in a claim for

personal injuries arising from a motor vehicle accident which occurred on or about June 7, 1998.

On or about September 9, 2002, Carol died. Carol's daughter Sylvia Mae (Sylvia), subsequently hired Respondent to represent her in the administration of Carol's estate which was opened December 19, 2002. Sylvia was appointed as Carol's fiduciary on December 19, 2002.

On October 9, 2002, after Carol's death, and before the opening of her estate, Respondent met with Tim Cheadle, an adjuster with Nationwide Insurance Company, and negotiated a settlement of Carol's personal injury claim for the sum of \$25,000. On October 9, 2002, Cheadle issued Nationwide's check in the sum of \$25,000 payable to Carol and Respondent in full settlement of Carol's claim. Respondent did not tell Cheadle that Carol had died on September 9, 2002. Respondent claims he did not know of Carol's death at the time of the settlement on October 9, 2002.

On December 19, 2002, Respondent had Sylvia endorse the \$25,000 Nationwide check and sign a release. Respondent endorsed the Nationwide check and deposited the check in his IOLTA trust account. The same date Respondent prepared, signed and filed in the Trumbull County Probate Court an application to admit Carol's Will to probate. On the same date, Respondent also prepared, signed and filed an application for Sylvia's appointment as the fiduciary of Carol's estate. Respondent did not disclose to the probate court that he settled Carol's motor vehicle accident case for \$25,000 or that he was holding the \$25,000 in his IOLTA trust account. At no time did Respondent seek the probate court's approval of the settlement of Carol's personal injury case, nor did Respondent ever disclose in writing to the court that such a

settlement existed.

At the same time Respondent opened Carol's estate, Respondent sister, Attorney Irene Makridis, appeared as co-counsel with Respondent in the estate. Subsequently, when Respondent was suspended from the practice of law May 16, 2003, by the Supreme Court of Ohio Makridis assumed full responsibility for the estate. See *Disciplinary Counsel v. Kafantaris*, 99 Ohio St.3d 94, 2003-Ohio-2477. Respondent never told Makridis of the \$25,000 settlement or that he had the money. Makridis eventually prepared and filed an inventory for the estate which does not include the \$25,000 settlement that Respondent had received.

Respondent took Carol's settlement of \$25,000 from his IOLTA trust account for his own use and purposes. As of January 21, 2003, approximately 30 days after the deposit of \$25,000, Respondent's trust account balance was \$728.92.

On December 12, 2003, after completing a six month suspension from the practice of law, Respondent was reinstated to the practice of law by the Supreme Court of Ohio. In late January or early February of 2004, one of Carol's children made inquiries of Respondent as to the status of Carol's personal injury case. Respondent then mortgaged one of his properties for approximately \$26,000 which he deposited into his IOLTA trust account. Respondent then issued a check drawn on his IOLTA trust account to the Carol J. Williams Estate in the sum of \$25,000.

The Relator made several requests for records of Respondent's trust account but Respondent failed to provide copies of his IOLTA trust account during the investigation.

The Respondent disputes the Relator's allegations that he failed to cooperate

with the investigation. The Respondent for several months beginning in January, 2007 was preoccupied with defending a man in a complex murder case in Columbiana County, some hours travel away. Throughout that period, the Respondent made daily commutes to Columbiana County which were taking him out of his office and preventing him from spending the time necessary to assemble the necessary materials.

Despite spending nearly all of his time defending his client in Columbiana County, the Respondent indicates he did his best to cooperate in the investigation conducted by the Relator.

Conclusions of Law as to Count Two

Based upon the above facts, the panel finds by clear and convincing evidence Respondent violated the following:

- DR 1-102(A)(4) [a lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation];
- DR 1-102(A)(5) [a lawyer shall not engage in conduct that is prejudicial to the administration of justice];
- DR 1-102(A)(6) [a lawyer shall not engage in any other conduct that adversely reflects on the lawyer's fitness to practice law];
- DR 7-102(A)(3) [a lawyer shall not conceal or knowingly fail to disclose that which he is required by law to reveal];
- DR 9-102(B)(3) [a lawyer shall maintain complete records of all funds, securities, and other properties of a client coming into the possession of a lawyer and render appropriate accounts to his client regarding them];
- DR 9-102(B)(4) [a lawyer shall promptly pay or deliver to the client the funds, securities and other properties in the lawyer's possession which the client is entitled to receive].

The panel finds that there is not clear and convincing evidence that Respondent violated

Gov. Bar R. V(4)(G) and dismiss that allegation.

Findings of Fact/Count Three

The False Affidavit Matter

On May 16, 2003, the Ohio Supreme Court entered an Order suspending Respondent from the practice of law in the State of Ohio for a period of twelve months with six months stayed and imposing specific requirements upon Respondent in relation to the suspension including, but not limited to, that within 30 days from the date of the Court's Order (May 16, 2003) "Respondent shall: . . .(2) . . .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 the urgency for obtaining such papers or other property; (3) . . .refund any part of any fees or expenses paid in advance that are not earned or are not paid, and account for any trust money or property in the possession or control of the Respondent; (4) . . . file a Notice of Disqualification of Respondent with the Court or agency before which litigation is pending for inclusion of the respective file or files; . . . [and] (6) file with the Clerk of this Court and 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 Affiant may receive communications, . . ."

On June 19, 2003, Respondent signed an affidavit which he had prepared, and in which he swore under oath, that he had complied with the Supreme Court of Ohio's Order of May 16, 2003. Respondent delivered that affidavit to the Clerk of the Ohio Supreme Court who stamped it as received on June 20, 2003. The affidavit was later

stamped as filed with the Clerk on August 19, 2003.

The affidavit filed by the Respondent with the Supreme Court of Ohio on June 20, 2003 was false in relation to the Carol J. Williams estate matter. Respondent had not accounted to the estate for the \$25,000 he was to have had in his IOLTA trust account and Respondent had not filed a notice of disqualification in the Carol J. Williams estate which was then still pending in the Trumbull County Probate Court.

Respondent knew that he had not returned to the Carol J. Williams estate the \$25,000 he had taken while his first disciplinary case was pending before the Board of Commissioners on Grievances and Discipline and he further knew that he had not filed a notice of disqualification in the Carol J. Williams estate then pending in the Trumbull County Probate Court. He further knew that he had not provided an accounting to the Carol J. Williams estate for the money belonging to the estate which he should have held in his IOLTA account.

Conclusions of Law as to Count 3

Based upon the upon facts, the panel finds by clear and convincing evidence

Respondent violated the following:

- DR 1-102(A)(4) [a lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation];
- DR 1-102(A)(5) [a lawyer shall not engage in conduct that is prejudicial to the administration of justice];
- DR 1-102(A)(6) [a lawyer shall not engage in any other conduct that adversely reflects on the lawyer's fitness to practice law];
- DR 7-102(A)(3) [a lawyer shall not conceal or knowingly fail to disclose that which he is required by law to reveal].

MITIGATION AND AGGRAVATION

Several character witnesses testified on behalf of the Respondent. Irene Makridis, an attorney and a sister of Respondent, testified she has practiced law with her brother since April or May of 2007. She testified that Respondent's personality changed after he represented a defendant in a high profile murder case. She now believes Respondent is "back on track" since he has been taking medication.

The second character witness, Kalliopi Taktikos, a sister of the Respondent, testified that Respondent is a good husband, father and brother.

The next character witness, Eugenia Mihas, a sister of the Respondent, testified he is a very good brother.

The fourth character witness, Theologios G. Kafantaris, an attorney and a son of the Respondent testified that his father was a very loving father and that being an attorney and being able to take care of clients was very important to his father. He further testified how his father had instilled in him and his brothers how important education was and how he wanted all of them to be lawyers. Mr. Kafantaris testified that his father was always unorganized and seemed to be distracted.

The fifth character witness, Constantine Evangelos Kafantaris, a son of the Respondent, testified his father is a good person and is a modest person. He testified how his father had always been involved in his life and his siblings life to be sure they achieved their goals and ambitions.

The next witness to testify on behalf of the Respondent was a Keith D. Irwin. Mr. Irwin is the father of a defendant the Respondent represented in a high profile murder case. Mr. Irwin testified as to how much work Respondent put into the case and that he

was spending his entire time representing his son.

The next character witness to testify was Dimitrios Nikolaos Mikridis, a nephew of the Respondent. Mr. Mikridis testified that Respondent was like a father to him and is a wonderful father to his four sons. He testified that the Respondent is a very moral person.

The final witness to testify on behalf of the Respondent was Maria Kafantaris, the wife of the Respondent. Mrs. Kafantaris testified that Respondent is a good father and has been a good husband. She testified Respondent works "around the clock, 24 hours a day." She further testified that since his representation of a defendant in a high profile murder case, he has been a changed man and is less upbeat.

A number of depositions were received on behalf of the Respondent in lieu of the witnesses testifying at the hearing. These depositions were read and considered by the Panel.

The Respondent testified he has entered into an OLAP contract but a signed copy was not submitted to the Panel. In addition, the Respondent testified he is under the care of a physician who sees him once a week.

The Respondent has a prior disciplinary matter and was suspended for a period of six months from May 16, 2003 until November 16, 2003. *Disciplinary Counsel v. Kafantaris, supra*, involved a suspension based on Respondent's lies in an answer to a civil complaint, in his deposition and in an affidavit submitted to the trial court concerning his sexual relationship with an employee.

Most if not all the aggravating factors listed under Section 10(B) of the Rules and

Regulations Governing Procedure on Complaints and Hearings are present in this case.

The following elements of aggravation are present:

1. Prior disciplinary offense;
2. Dishonest/selfish motive;
3. A pattern of misconduct multiple offenses;
4. Lack of cooperation in the disciplinary process;
5. Submission of false evidence or statements or other deceptive practices during the disciplinary process.

SANCTION

In determining the appropriate sanction, this panel gave consideration to the guidelines for mitigating and aggravating factors.

The Relator recommends that Respondent be permanently disbarred. The Respondent urges the panel to recommend no more than an indefinite suspension.

Respondent has admitted certain acts and conduct while representing clients, Irene Heasley and the Estate of Carol Williams. He admits to having taken, for his own personal use from his trust account without prior knowledge and authorization of his clients, the personal injury settlement monies of Carol Williams and funds entrusted to him by Irene Heasley.

Misappropriation of client funds carries the “presumptive sanction of disbarment.” *Cleveland Bar Assn. v. Dixon*, 95 Ohio St. 3d 490, 493, 2002-Ohio-2490. See also *Disciplinary Counsel v. France*, 97 Ohio St. 3d 240, 2002-Ohio-5945.

Examining the admitted facts within the language of Section 10(B) of the Board’s Rules and Regulations Governing Procedure on Complaints and Hearings, we find most of the aggravating factors to be present without the existence of any recognized mitigation.

Respondent’s misconduct equals that described in prior disciplinary matters in

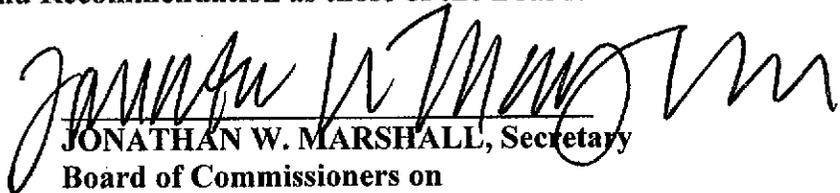
which the Supreme Court imposed the sanction of disbarment. See *Columbus Bar Association v. Garrison* (1994), 68 Ohio St. 3d 461; *Cincinnati Bar Assn. v. Reis* (1999), 86 Ohio St. 3d 540.

For all the foregoing reasons, the panel finds that disbarment is the appropriate sanction and the same is recommended.

BOARD RECOMMENDATION

Pursuant to Gov. Bar Rule V(6)(L), the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio considered this matter on October 3, 2008. The Board adopted the Findings of Fact, Conclusions of Law and Recommendation of the Panel and recommends that the Respondent, George Nicholas Kafantaris, be permanently disbarred. The Board further recommends that the cost of these proceedings be taxed to the Respondent in any disciplinary order entered, so that execution may issue.

Pursuant to the order of the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio, I hereby certify the foregoing Findings of Fact, Conclusions of Law, and Recommendation as those of the Board.



JONATHAN W. MARSHALL, Secretary
Board of Commissioners on
Grievances and Discipline of
The Supreme Court of Ohio