

# The Supreme Court of Ohio

ORIGINAL

CLIENTS' SECURITY FUND  
OHIO JUDICIAL CENTER  
65 SOUTH FRONT STREET, 5TH FLOOR, COLUMBUS, OHIO 43215-3431

THOMAS J. MOYER  
CHIEF JUSTICE

EDWARD G. HACK  
CHAIRMAN

JANET GREEN MARBLEY  
ADMINISTRATOR

(614) 387-9390  
1-800-231-1680 (IN OHIO)

October 6, 2009

Kristina Frost, Clerk  
Supreme Court of Ohio  
65 South Front Street, 8<sup>th</sup> Floor  
Columbus, Ohio 43215

98-2216  
07-0768

Re: Richard F. Smith, Jr.

Dear Ms. Frost:

Enclosed please find a copy of the Claim Determination Entry for award made by the Board of Commissioners of the Clients' Security Fund of Ohio in the following claim:

<u>CSF CLAIM NO.</u>	<u>CLAIMANT</u>	<u>AWARD</u>
08-0061	James E. McClintock	\$1,000.00

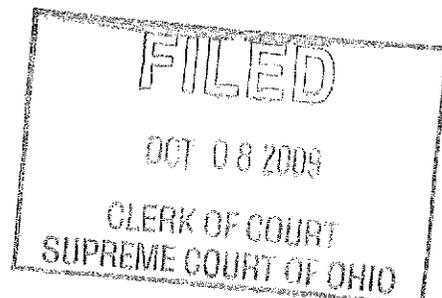
This award arose from the dishonest conduct of Richard F. Smith, Jr. We ask that the information concerning the award made by the Clients' Security Fund be placed in the attorney's files.

Thank you for your attention to this matter.

Very truly yours,

  
Janet Green Marbley, Administrator  
Clients' Security Fund

JGM/pdl  
Enclosure(s): as stated



*The Supreme Court of Ohio*  
*Clients' Security Fund*  
*65 South Front Street, 5<sup>th</sup> Floor*  
*Columbus, Ohio 43215-3431*

*Thomas J. Moyer*  
*Chief Justice*

*Edward G. Hack*  
*Chair*

*Janet Green Marbley*  
*Administrator*

CLAIM DETERMINATION ENTRY

In Re Application of James E. McClintock vs. Richard F. Smith, Jr.  
Claim No. 08-0061

This cause came on for hearing before the Board of Commissioners of the Clients' Security Fund this **28th day of August, 2009** on the application of James E. McClintock alleging a loss in the amount of \$1,000.00, caused by dishonest conduct of an attorney duly licensed to practice in the State of Ohio

The Commissioners of the Clients' Security Fund of Ohio find that:

- a) An attorney client relationship did exist between the claimant and Richard F. Smith, Jr.
- b) The claimant suffered a loss of \$1,000.00 on or about October 19, 2007.

The Commissioners further find that the dishonest conduct consisted of theft of unearned fees, and that the following disciplinary proceedings were taken:

Disbarred - August 29, 2007

The Commissioners further find that the claimant took affirmative action against the attorney within one year of becoming aware of the loss; and that there is no insurance or bond which will benefit the claimant; and that said claimant is not a spouse, close relative, partner, insurer or bonding company, nor a governmental unit.

Therefore the Commissioners of the Clients' Security Fund do hereby determine that the claim of James E. McClintock is eligible for reimbursement in the amount of \$1,000.00.

Payment of said amount is conditioned upon claimant complying with the subrogation assignment and other requirements of Sec. 6 of GOV. Rule VIII of the Ohio Supreme Court.

Date

Date

*9/11/09*

*September 8, 2009*

Chair

Secretary

*Janet Green Marbley*

**THE SUPREME COURT OF OHIO**

*Clients' Security Fund*

PAYMENT OF AWARD

September 17, 2009

Amount of Award      \$1,000.00

Check No.      837238

Subrogation/ Assignment Executed and Recd.      September 8, 2009

Other Documents Recd. \_\_\_\_\_

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\* \* \* \* \*

*APPLICATION FOR ATTORNEY FEE:*

Attorney \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone \_\_\_\_\_

Amount Applied for \$ \_\_\_\_\_ Date \_\_\_\_\_

Amount Approved \$ \_\_\_\_\_ Date \_\_\_\_\_

Check No. \_\_\_\_\_