

ORIGINAL

IN THE SUPREME COURT OF OHIO

AKRON BAR ASSOCIATION,
57 S. Broadway St.
Akron, OH 44308
Realtor,

CASE NO. 08-1270

v.

DOUGLAS B. MAHER,
4290 Suttle Dr.
Norton, OH 44203
Respondent.

RECEIVED
OCT 19 2009
CLERK OF COURT
SUPREME COURT OF OHIO

FILED
OCT 13 2009
CLERK OF COURT
SUPREME COURT OF OHIO

MOTION TO SHOW CAUSE

Now comes Realtor, by and through counsel, and submits this Motion to Show Cause. The undersigned has recently discovered and hereby represents to the Court that Respondent is in violation of the Order of this Court entered on February 5, 2009 requiring Respondent to:

1. Notify clients and co-counsel of Respondent's suspension and disqualification to act as an attorney;
2. Deliver any papers or other property pertaining to the client or notify co-counsel of a time and place where the papers or property may be obtained;
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 or adverse parties in pending litigation of Respondent's disqualification to act as an attorney, and file a notice of disqualification of Respondent with the court or agency before which the litigation is pending;

5. Send all notices required by the court by certified mail with a return address where communications may be 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 the order of this Court; and
7. Retain and maintain a record of the various steps taken by Respondent pursuant to the Court's order.

A copy of said Decision is attached as Exhibit A. As shown in Exhibit B, attached herein, Respondent has failed to comply with the Decision of the Court in his failure to perform the above actions required by the Order of this Court on February 5, 2009.

Wherefore, as Respondent has failed to comply with the decision of this Court, the Respondent respectfully requests this Court to issue an Order that Respondent show cause why he should not be found in contempt for failure to comply with the Court's order of February 5, 2009.

Respectfully submitted,

AKRON BAR ASSOCIATION, REALTOR

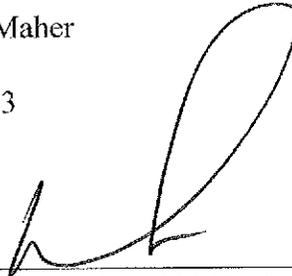
William G. Chris (0006593)
Akron Bar Counsel
57 South Broadway
Akron, Ohio 44308
Telephone No. (330) 253-5007
Facsimile No. (330) 253-2140
E-mail address: wchris@rlblp.com

Attorney for Realtor

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the forgoing Complaint and Certificate was sent by Regular U.S. Mail, postage prepaid, the 9th day of October, 2009 to:

Attorney Douglas B. Maher
4290 Suttle Dr.
Norton, OH 44203



William G. Chris (#0006593)
Bar Counsel
57 South Broadway
Akron, Ohio 44308
Telephone No. (330) 253-5007
Facsimile No. (330) 253-2140
E-mail address: wchris@rlblp.com

Attorney for Realtor

RECEIVED

FEB 09 2009

FILED

Akron Bar Association

The Supreme Court of Ohio

FEB 05 2009

CLERK OF COURT
SUPREME COURT OF OHIO

Case No. 08-1270

Akron Bar Association,
Relator,
v.
Douglas B. Maher,
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 30, 2008, recommending that pursuant to Rule V(6)(B)(2) of the Supreme Court Rules for the Government of the Bar of Ohio the respondent, Douglas B. Maher, be indefinitely suspended from the practice of law. Respondent filed no objections to said Final Report, 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)(2), respondent, Douglas B. Maher, Attorney Registration Number 0024038, last known business address in Barberton, Ohio, be indefinitely suspended from the practice of law consistent with the opinion rendered herein.

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 before entering into an employment, contractual, or consulting relationship with any attorney or law firm, the respondent shall verify that the attorney or law firm has complied with the registration requirements of Gov.Bar R. V(8)(G)(3). If employed pursuant to Gov.Bar R. V(8)(G), respondent shall refrain from direct client contact except as provided in Gov.Bar R. V(8)(G)(1), and from receiving, disbursing, or otherwise handling any client trust funds or property.

It is further ordered that respondent be taxed the costs of these proceedings in the amount of \$3,946.72, 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

EXHIBIT A

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 petition 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 until (1) respondent complies with the requirements for reinstatement set forth in the Supreme Court Rules for the Government of the Bar of Ohio; (2) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio; (3) respondent complies with this and all other orders of the court; and (4) 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 2007/2009 attorney registration biennium.

It is further ordered that until such time as respondent fully complies with this order, respondent shall keep the Clerk, the Akron Bar Association, 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 Office of Attorney Services.

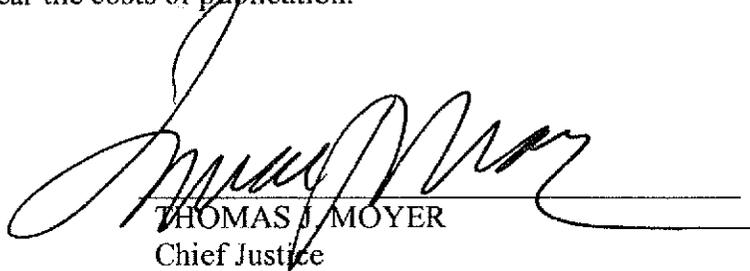
It is further ordered that the clerk of this court issue certified copies of this order as provided for in Gov.Bar R. V(8)(D)(1), that publication be made as provided for in Gov.Bar R. V(8)(D)(2), and that respondent bear the costs of publication.

I HEREBY CERTIFY that this document is a true and accurate copy of the entry of the Supreme Court of Ohio filed February 5, 2009 in Supreme Court case number 08-1270

In witness whereof I have hereunto subscribed my name and affixed the seal of the Supreme Court of Ohio on this 5th day of Feb, 2009.

CLERK OF COURT

by [Signature], Deputy


THOMAS J. MOYER
Chief Justice

IN THE SUPREME COURT OF OHIO

AKRON BAR ASSOCIATION,)	
57 S. Broadway St.)	
Akron, OH 44308)	
Realtor,)	CASE NO. 08-1270
)	
v.)	
)	
DOUGLAS B. MAHER,)	EXHIBIT B
4290 Suttle Dr.)	
Norton, OH 44203)	
)	
Respondent.)	

AFFIDAVIT OF JACQUELINE M. FORCINA

The undersigned, having been having been first duly sworn and cautioned in accordance with law, states the following:

1. That my name is Jacqueline Forcina, and I am the Grievance Director for the Akron Bar Association.
2. That as the Grievance Director, I am custodian of records of the Certified Grievance Committee of the Akron Bar Association.
3. The following documents, true and accurate copies of which are attached as, are in the records of the Akron Bar Association pertaining to the grievances against Douglas B. Maher:

On March 12, 2009, Ms. Theresa Lytle filed a grievance against Douglas B.

Maher alleging that Maher failed to notify her of his indefinite suspension, failed to advise her to obtain new counsel, and failed to return legal documents relevant to her case. Said grievance is attached as Exhibit B-1;

On April 29, 2009, Mr. Michael Manin filed a grievance against Douglas B. Maher alleging that Maher failed to notify him of his indefinite suspension, failed to advise him to obtain new counsel, failed return legal documents relevant to his case, and failed to return the retainer to him. Said complaint is attached as Exhibit B-2;

On May 7, 2009, Mr. Scott Bruce filed a grievance against Douglas B. Maher alleging that Maher failed to notify him of his indefinite suspension, failed to advise him to obtain new counsel, failed return legal documents relevant to his case, and failed to return the retainer to him. Said complaint is attached as Exhibit B-3;

On August 25, 2009, Mr. Michael Manin received his client file and a partial refund of retainer from Maher. Said file and refund was produced by Maher upon the request of the investigators from the Certified Grievance Committee. Receipt is attached as Exhibit B-4;

On August 26, 2009, Mr. Scott Bruce received his client file from Maher. Said file was produced by Maher upon the request of the investigators from the Certified Grievance Committee. Receipt is attached as Exhibit B-5.

4. These records have been kept in the course of the regularly conducted business activity of the Certified Grievance Committee of the Akron Bar Association. It is the regular

practice of the Certified Grievance Committee of the Akron Bar Association to make and keep such documents in the manner in which they appear in the records.

5. That I am familiar with the Order of the Ohio Supreme Court entered on February 5, 2009, in the case of the Akron Bar Association v. Douglas B. Maher, Case No. 08-1270, which required Douglas B. Maher to:

Notify clients and co-counsel of Respondent's suspension and disqualification to act as an attorney;

Deliver any papers or other property pertaining to the client or notify co-counsel of a time and place where the papers or property may be obtained;

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;

Notify opposing counsel or adverse parties in pending litigation of Respondent's disqualification to act as an attorney, and file a notice of disqualification of Respondent with the court or agency before which the litigation is pending;

Send all notices required by the court by certified mail with a return address where communications may be thereafter be directed to Respondent;

File with the clerk of this Court and the Disciplinary Counsel of the Supreme Court an affidavit showing compliance with the order of this Court; and

Retain and maintain a record of the various steps taken by Respondent pursuant to the Court's order.

8. That Douglas B. Maher has failed to comply with the February 5, 2009 Order of the Court by failing to perform any of the aforementioned actions listed in Number 5.

FURTHER AFFIANT SAITH NAUGHT.

Jacqueline M. Forcina
Jacqueline M. Forcina

STATE OF OHIO)
)
COUNTY OF SUMMIT)

SUBSCRIBED AND SWORN TO BEFORE ME in my presence on this 7th day of
October, 2009.

Linda M. Foster
Notary Public

My Commission Expires: April 9, 2011



Linda M. Foster
Resident Summit County
Notary Public, State of Ohio
My Commission Expires:

RECEIVED

MAR 13 2009

AKRON BAR ASSOCIATION
57 S. Broadway Street - Akron, OH 44308

Phone: (330) 253-5007

Akron Bar Association

INVESTIGATIVE FORM: STATEMENT OF FACTS

Your Name: Theresa S. Lytle

Address: 1275 Norton Ave lot E3 Norton Ohio 44203
Street address city state zip

Telephone No. 330-431-8114

Name of the attorney you are complaining about: Douglas B. Mayer

Address of the attorney you are complaining about: 564 West

Does this attorney represent you? was supposed to YES NO

If no, name of the person represented _____ Your relationship: _____

Date the attorney was hired: Jan 5, 2009

Has the attorney withdrawn or been dismissed? He withdrew

Did you pay the attorney a fee/retainer? YES NO If yes, how much? _____

Did you sign a written fee agreement/contract? YES NO If yes, please attach a photocopy

Were you referred to this attorney by the Lawyer Referral Service of the Akron Bar Association?

YES NO

For what legal matter did you consult the attorney? Sale of A mobile Home with no title

Is your legal matter currently pending in a court of law? YES NO

If yes, what court? _____ County: _____

Case Number: _____

Has the attorney sued you in a court of law for collection of fees? YES NO

Have you filed a complaint with any other disciplinary agency? YES NO

If yes, which one? _____

Did you receive a response? YES NO If yes, please attach a photocopy

EXHIBIT B-1

Please state what the attorney did or failed to do that you believe may have been improper. Attach copies of any receipt, fee contract, correspondence, billing statement or additional document which may support your complaint. However, if the document is more than ten (10) pages long, please describe it, but do not send it at this time. Use additional pages if necessary.

I spoke with Doug Mayer on Jan 5, 2009. I explained I purchased a mobile home and was promised the title but only got the old title from the previous owner. Doug Mayer said on January 20, 2009 he was going to file a complaint in the Akron Court house. I gave him the documents for the sale of the trailer. Mr Mayer never called so I gave him two weeks and then he said he couldn't handle this case and would send my paperwork back. That was weeks ago, I call every day went to his office and got no reply. I have a new attorney Rocko Yerkin who will handle this case but I cant do anything without my paperwork. I could of received my money already and moved somewhere that has heat.

This foregoing statement is true to the best of my knowledge and belief.

3-4-09

Date

Theresa Lyle

Signature

How did you hear about the Akron Bar Association Grievance Committee?

Legal Aid

RECEIVED

APR 29 2009

AKRON BAR ASSOCIATION
57 S. Broadway Street - Akron, OH 44308
Phone: (330) 253-5007

Akron Bar Association INVESTIGATIVE FORM: STATEMENT OF FACTS

Your Name: Michael Manin

Address: 881 Guinevere CR Uniontown, OH 44685
Street address city state zip

Telephone No. 330-328-2613

Name of the attorney you are complaining about: DOUG MAHER

Address of the attorney you are complaining about: 4290 Suttle Dr Barberton, OH 330-336-7076

Does this attorney represent you? YES NO

If no, name of the person represented _____ Your relationship: _____

Date the attorney was hired: DEC 2009

Has the attorney withdrawn or been dismissed? Suspended

Did you pay the attorney a fee/retainer? YES NO If yes, how much? 500⁰⁰

Did you sign a written fee agreement/contract? YES NO If yes, please attach a photocopy

Were you referred to this attorney by the Lawyer Referral Service of the Akron Bar Association? YES NO

For what legal matter did you consult the attorney? Misdemeanor - Motion to Vacate Plea

Is your legal matter currently pending in a court of law? YES NO

If yes, what court? Barberton County: Summit

Case Number: CRB 95211945

Has the attorney sued you in a court of law for collection of fees? YES NO

Have you filed a complaint with any other disciplinary agency? YES NO

If yes, which one? _____

Did you receive a response? YES NO If yes, please attach a photocopy



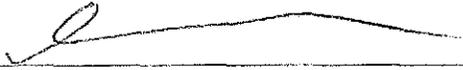
EXHIBIT B-2

Please state what the attorney did or failed to do that you believe may have been improper. Attach copies of any receipt, fee contract, correspondence, billing statement or additional document which may support your complaint. However, if the document is more than ten (10) pages long, please describe it, but do not send it at this time. Use additional pages if necessary.

DOUG MAHER Failed to appear in
Barberton Court for hearings on 3-2-09 and
4-11-09. He failed to notify me of
hearing dates. He has not returned
phone calls since Jan 2009 in spite
of repeated attempts to contact him

This foregoing statement is true to the best of my knowledge and belief.

4-21-09
Date


Signature

How did you hear about the Akron Bar Association Grievance Committee?

AKRON BAR ASSOCIATION
57 S. Broadway Street – Akron, OH 44308
Phone: (330) 253-5007

RECEIVED

MAY 07 2009

INVESTIGATIVE FORM: STATEMENT OF FACTS

Akron Bar Association

Your Name: SCOTT BRUCE

Address: 1334 HUNTERS LAKE DR WEST CUY. FALLS OHIO 44221
Street address city state zip

Telephone No. 330-690-2989

Name of the attorney you are complaining about: DOUG MATHER

Address of the attorney you are complaining about: 564 W TUSCARAWAS AVE
BARBERTON, OHIO 44203

Does this attorney represent you? YES NO

If no, name of the person represented _____ Your relationship: _____

Date the attorney was hired: 6-18-2008

Has the attorney withdrawn or been dismissed? dismissed

Did you pay the attorney a fee/retainer? YES NO If yes, how much? \$1,000.00

Did you sign a written fee agreement/contract? YES NO If yes, please attach a photocopy

Were you referred to this attorney by the Lawyer Referral Service of the Akron Bar Association? YES NO

For what legal matter did you consult the attorney? DIVORCE

Is your legal matter currently pending in a court of law? YES NO

If yes, what court? _____ County: Summit

Case Number: DR-2008-08-2588

Has the attorney sued you in a court of law for collection of fees? YES NO

Have you filed a complaint with any other disciplinary agency? YES NO

If yes, which one? _____

Did you receive a response? YES NO If yes, please attach a photocopy

EXHIBIT B-3

Please state what the attorney did or failed to do that you believe may have been improper. Attach copies of any receipt, fee contract, correspondence, billing statement or additional document which may support your complaint. However, if the document is more than ten (10) pages long, please describe it, but do not send it at this time. Use additional pages if necessary.

I Hired Doug For my DIVORCE 6-18-08. I
GAVE HIM \$1,000.00 & FILLED OUT A FORM. NO WORD
UNTIL A WK. BEFORE COURT. DOUG ASKED ME TO MEET
HIM AT ARBY'S RESTAURANT. DAY OF COURT HE WAS
HANDLED WIFE'S PAPER WORK FROM HER WORK ON PAY STUBS
I LOST THAT DAY. THE NEXT COURT DATE WAS
A MONTH AWAY. I TRIED TO CALL DOUG & LEFT A MESSAGE.
I CALLED EVERY 3RD DAY & LEFT A MESSAGE. ONE WK
BEFORE COURT DATE I CALLED ANOTHER LAWYER
HOW SAID HE CHARGED WITH MISCONDUCT. I GOT
A NEW LAWYER & PAID THE MONEY ALL OVER AGAIN

This foregoing statement is true to the best of my knowledge and belief.

5-1-09

Date



Signature

How did you hear about the Akron Bar Association Grievance Committee?

LAWYER



akron bar association
(Serving all of Summit County)

RECEIPT OF CLIENT FILE

The Akron Bar Association has received the client file of Michael Manin from the office of Attorney Douglas B. Maher. The Akron Bar Association has no knowledge or possession of any other documents belonging to this client.

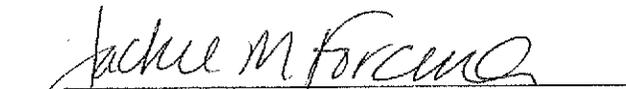
On August 25, 2009 the entire client file and Money Order #57054563764 in the amount of \$125.00 was given to the above named client and by his signature below acknowledges receipt of the file and money order. The client has been advised to seek the advice of another attorney as soon as possible if he/she has a pending legal matter.



Client Signature

08-25-09

Date



Akron Bar Association Staff/Date

EXECUTIVE OFFICE ♦ 57 S. BROADWAY STREET, AKRON, OHIO 44308-1722 ♦ 330-253-5007 ♦ FAX 330-253-2140 ♦ <http://www.akronbar.org>

MARC B. MERKLIN, President
LARRY G. POULOS, Vice President
ANN MARIE O'BRIEN, Treasurer
DEBORAH L. RUBY, Secretary

Board of Trustees
F. DANIEL BALMERT
KATHRYN A. BELFANCE
JOSEPH W. GIBSON
NANCY L. HOLLAND MYER

THOMAS P. KOT

Bar Council

EXHIBIT B-4



akron bar association
(Serving all of Summit County)

RECEIPT OF CLIENT FILE

The Akron Bar Association has received the client file of Scott Bruce from the office of Attorney Douglas B. Maher. The Akron Bar Association has no knowledge or possession of any other documents belonging to this client.

On Aug 26, 09 the entire client file was given to the above named client and by his signature below acknowledges receipt of the file. The client has been advised to seek the advice of another attorney as soon as possible if he/she has a pending legal matter.

Scott Bruce
Client Signature

Aug 26, 09
Date

JMF
Akron Bar Association Staff/Date

EXECUTIVE OFFICE ♦ 57 S. BROADWAY STREET, AKRON, OHIO 44308-1722 ♦ 330-253-5007 ♦ FAX 330-253-2140 ♦ <http://www.akronbar.org>

MARC B. MERKLIN, President
LARRY G. POULOS, Vice President
ANN MARIE O'BRIEN, Treasurer
DEBORAH L. RUBY, Secretary

Board of Trustees
F. DANIEL BALMERT
KATHRYN A. BELFANCE
JOSEPH W. GIBSON
NANCY L. HOLLAND MYERS



EXHIBIT B-5