

ORIGINAL

IN THE SUPREME COURT OF OHIO

AKRON BAR ASSOCIATION)	CASE NO.:2008-1270
)	
Relator)	
)	
vs)	MOTION FOR STAY
)	OF CONTEMPT SANCTIONS
DOUGLAS MAHER)	(Expedited Hearing Requested)
)	
Respondent)	

Now comes the respondent, by and through undersigned counsel and respectfully moves this Court to stay the contempt order against and to recall the warrant for the arrest of Douglas Maher, the subject of the above captioned action. The warrant was issued in orders of this Court issued February 2, 2010. (Copy attached)

Respondent's counsel certifies that the respondent is presently cooperating with the Akron Bar Association in the regard to the disposition of Respondent's files which are currently in possession of the Akron Bar Association. In fact, an appointment has been scheduled between Respondent, respondent's counsel and the Bar counsel at the Akron Bar Association on February 8, 2010 at 2:00PM. Respondent has always met with the Bar Association when requested, wherefore it is respectfully submitted that a stay of the present sanctions for contempt as well the recall of the warrant would be prudent so that the real work of disposing of the respondent's files can be accomplished.

In mitigation of Respondent's failure to appear

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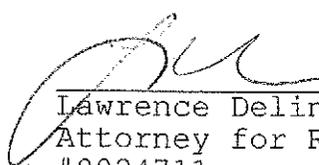
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 SUPREME COURT OF OHIO

on January 12, 2010, counsel represents as follows: He met with respondent at a social occasion of a mutual friend on or about December 13, 2010 shortly after receiving the notice himself and inadvertently stated to respondent that he believed the hearing to be on February 5, 2010. This occurred from a misreading of the notice which contained a reference to the Court's ORIGINAL order which was indeed February 5, but the year was 2009. Before the error was discovered counsel received a call from the Akron Bar on or about January 20, 2010 that the respondent's files had been removed from his office by the Bar Association. In that conversation counsel was also informed that the Bar Association was aware of his non-appearance at the hearing which was on *January 12, 2010*. That was the first actual indication to respondent (and counsel) that the date of the hearing had passed. This is not offered to minimize the importance of respondent's non-appearance, but to let the Court know that Respondent meant no disrespect (i.e. contempt) to the Court.

Finally it should be noted that the Relator Akron Bar Association, is not opposed to the recall of the warrant nor the stay of execution of sanctions. (This is in no way to imply that the Relator deems the sanctions inappropriate.)

WHEREFORE respondent moves the Court to stay the imposition of the sanctions stated in the February 2, 2010 order, and to allow him to totally purge himself of all of the recommended time and that the warrant for his arrest be recalled. Due to the fact that this matter involves an active

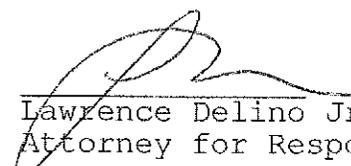
warrant, respondent respectfully asks for expedited action on this matter.



Lawrence Delino Jr.
Attorney for Respondent
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent by hand delivery to William Chris, Counsel for Relator on this February 5, 2010.



Lawrence Delino Jr.
Attorney for Respondent

FILED

The Supreme Court of Ohio

FEB 02 2010

Akron Bar Association,
Relator,

Case No. 2008-1270

CLERK OF COURT
SUPREME COURT OF OHIO

v.

Douglas B. Maher,
Respondent.

ORDER

On February 5, 2009, this court indefinitely suspended respondent, Douglas B. Maher, attorney registration number 0024038, last known business address in Barberton, Ohio, from the practice of law pursuant to Gov.Bar R.V(6)(B)(2).

On October 13, 2009, relator, Akron Bar Association, filed a motion requesting this court to issue an order directing respondent to show cause why he should not be found in contempt for failure to comply with this court's February 5, 2009, order. On December 4, 2009, this court ordered respondent to appear in person before the court on January 12, 2010. Respondent failed to appear before the court on the scheduled date. Upon consideration thereof,

It is ordered that respondent is found in contempt.

It is further ordered that respondent shall serve 20 days in jail and that a warrant be issued for his arrest to the Sheriff of Summit County and to the sheriffs of such other counties as the contemnor may frequent. It is further ordered that 15 days of the time in jail may be purged if respondent cooperates with the Akron Bar Association with regard to the disposition of the respondent's files the bar association has in its possession.

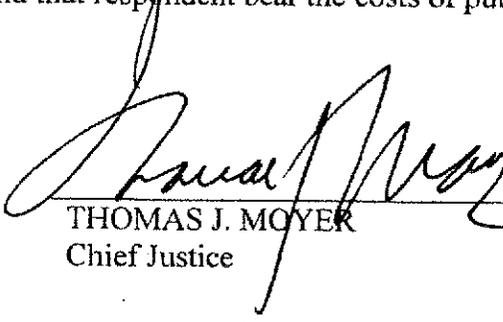
It is further ordered, sua sponte, that the Clerk of the Supreme Court of Ohio is authorized to release to the appropriate law enforcement officials any information contained in the records of the court concerning respondent that is otherwise confidential, including respondent's Social Security number, for the purpose of facilitating execution of the warrant issued for the arrest of respondent.

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, that respondent may not petition for reinstatement until he has paid the board and publication costs, plus interest and collection fees, owed in this case.

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 last known address of respondent.

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)(2), and that respondent bear the costs of publication.



THOMAS J. MOYER
Chief Justice

I HEREBY CERTIFY that this document is a true and accurate copy of the entry of the Supreme Court of Ohio filed February 2, 2010, in Supreme Court case number 2008-1870

In witness whereof I have hereunto subscribed my name and affixed the seal of the Supreme Court of Ohio on this 2nd day of February 20 10

CLERK OF COURT
by Mrs. L. Roche, Deputy

FILED

The Supreme Court of Ohio

FEB 02 2010
CLERK OF COURT
SUPREME COURT OF OHIO

Akron Bar Association,
Relator,
v.
Douglas B. Maher,
Respondent.

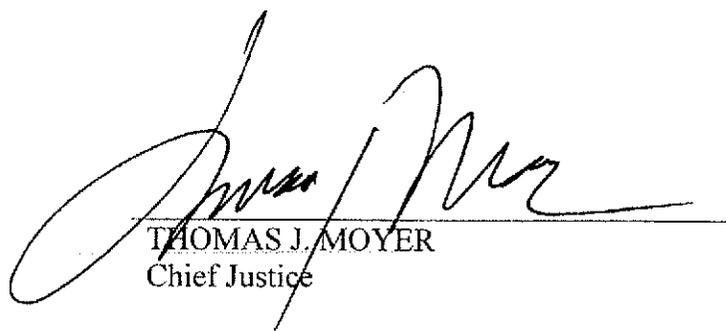
Case No. 2008-1270

ARREST WARRANT

TO THE SHERIFF OF SUMMIT COUNTY, OHIO:

In obedience to an order of this court entered on February 2, 2010, ordering that a warrant be issued for the arrest of respondent, Douglas B. Maher, to the Sheriff of Summit County,

You are commanded to arrest and take into your custody respondent, Douglas B. Maher, and to keep him in custody for 20 days, unless further ordered by this court.



THOMAS J. MOYER
Chief Justice