

ORIGINAL

IN THE SUPREME COURT OF OHIO

In re : Case No. 2011-0023
Complaint Against :

John W. Hauck (#0023153) :
RESPONDENT :
CINCINNATI BAR ASSOCIATION :
RELATOR :

**RESPONDENT'S BRIEF IN
OPPOSITION TO RELATOR'S
OBJECTIONS**

FILED
FEB 15 2011
CLERK OF COURT
SUPREME COURT OF OHIO

**RESPONDENT'S BRIEF IN OPPOSITION TO RELATOR'S OBJECTION TO THE
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATION OF THE
BOARD OF COMMISSIONERS ON GRIEVANCES AND DICCIPLINE**

ARGUMENT

As Relator suggests in its brief, this is an area in which neither the Board nor this Court is unfamiliar. This may, in fact, be one of the most frequently presented areas of lawyer discipline. The Board has been consistent in recommending actual suspension in commingling cases and the Court has consistently pronounced the seriousness with which it views such cases.

The Respondent does not cite herein any authority except to agree with the Relator's assertion of the proper case authority set forth in its brief. These cases were all cited and considered by the panel.

The Respondent does not cite any disputed facts, the case having been tried on stipulated facts.

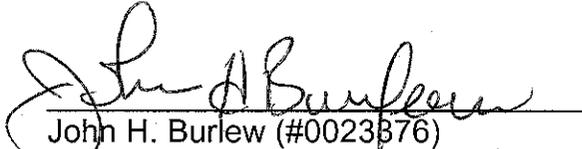
The Board of Commissioners on Grievances and Discipline has always paid great deference to the legal guidelines established by this Court. In modifying the panel's recommendation sanction, the Board indicated its conscious decision to

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recommend a stayed suspension based upon the extraordinary mitigation it found in its review.

It is respectfully submitted that the Board correctly applied the law to the facts of this and its recommendation should be adopted.

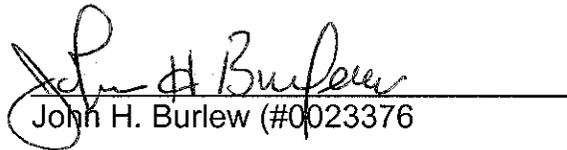
Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that a copy of the forgoing was severed by ordinary U.S. Mail on James K. Rice, Attorney at Law, 207 Thomas More Parkway, Crestview Hills, KY 41017 and Richard Johnson, Attorney at Law, 9902 Carver Road, Blue Ash, Ohio 45242, on this 14 day of February, 2011.



John H. Burlew (#0023376)