

# The Supreme Court of Ohio

ORIGINAL

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

CHIEF JUSTICE  
MAUREEN O'CONNOR

JUSTICES  
PAUL E. PFEIFER  
EVELYN LUNDBERG STRATTON  
TERRENCE O'DONNELL  
JUDITH ANN LANZINGER  
ROBERT R. CUPP  
YVETTE MCGEE BROWN

ADMINISTRATOR  
JANET GREEN MARBLEY

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April 21, 2011

07-0344  
10-0908  
10-1781

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

Re: Howard Vincent Mishler

Dear Ms. Frost:

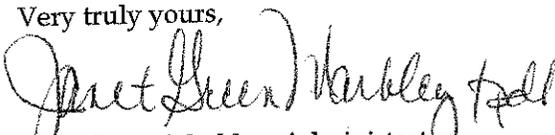
Enclosed please find copies of the Claim Determination Entry for awards made by the Board of Commissioners of the Clients' Security Fund of Ohio in the following claims:

<u>CSF CLAIM NO.</u>	<u>CLAIMANT</u>	<u>AWARD</u>
09-0130	Thomas and Teresa Garlando	\$15,000
09-0007	Mercedes A. Spar	\$6,000
08-0126	Thomas and Mary Schwartz	\$50,758.46
08-0236	Rajakumar Subramanian	\$6,500

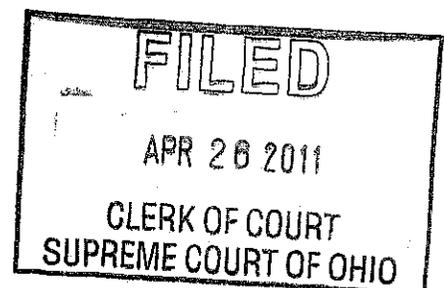
These awards arose from the dishonest conduct of Howard Vincent Mishler. We ask that the information concerning the awards made by the Clients' Security Fund be placed in the attorney's file.

Thank you for your attention to this matter.

Very truly yours,

  
Janet Green Marbley, Administrator  
Clients' Security Fund

JGM/pdl  
Enclosures: as stated



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

Maureen O'Connor  
Chief Justice

Jerome Phillips  
Chair

Janet Green Marbley  
Administrator

**CLAIM DETERMINATION ENTRY**

In Re Application of Thomas and Teresa Garlando v. Howard Vincent Mishler  
Claim Number 09-0130

This cause came on for hearing before the Board of Commissioners of the Clients' Security Fund this 4<sup>th</sup> day of March, 2011 on the application of Thomas and Teresa Garlando alleging a loss in the amount of \$15,000, 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 Howard Vincent Mishler.
- b) The claimant suffered a loss of \$15,000 on or about April, 2008.

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

**DISBARRED on 12/14/2010**

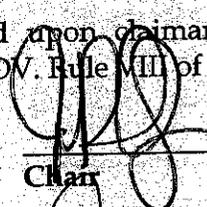
The Commissioners further find that the claimant took affirmative action against the attorney within one year of becoming aware of the loss; and that there is no insurance or bond which will benefit the claimant; and that said claimant is not a spouse, close relative, partner, insurer or bonding company,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

Therefore the Commissioners of the Clients' Security Fund do hereby determine that the claim of Thomas and Teresa Garlando is eligible for reimbursement in the amount of \$15,000.

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.

3-13-11  
\_\_\_\_\_  
Date

March 9, 2011  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Chair  
Janet Green Marbley  
\_\_\_\_\_  
Secretary

**The Supreme Court of Ohio**  
**Clients' Security Fund**  
**65 South Front Street, 5<sup>th</sup> Floor**  
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*Maureen O'Connor*  
Chief Justice

*Jerome Phillips*  
Chair

*Janet Green Marbley*  
Administrator

**CLAIM DETERMINATION ENTRY**

In Re Application of Mercedes A. Spar v. Howard Vincent Mishler  
Claim Number 09-0007

This cause came on for hearing before the Board of Commissioners of the Clients' Security Fund this 4<sup>th</sup> day of March, 2011 on the application of Mercedes A. Spar alleging a loss in the amount of \$7,000, 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 Howard Vincent Mishler.
- b) The claimant suffered a loss of \$6,000 on or about December 8, 2008.

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

**DISBARRED on 12/14/2010**

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 Mercedes A. Spar is eligible for reimbursement in the amount of \$6,000.

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

Date

3-13-11

Date

March 9, 2011

Chair

Secretary

*Janet Green Marbley*

*The Supreme Court of Ohio*  
*Clients' Security Fund*  
*65 South Front Street, 5<sup>th</sup> Floor*  
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*Jerome Phillips*  
*Chair*

*Janet Green Marbley*  
*Administrator*

**CLAIM DETERMINATION ENTRY**

In Re Application of Thomas and Mary Schwartz v. Howard Vincent Mishler  
Claim Number 08-0126

This cause came on for hearing before the Board of Commissioners of the Clients' Security Fund this **4th day of March, 2011** on the application of Thomas and Mary Schwartz alleging a loss in the amount of \$149,435.45, 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 Howard Vincent Mishler.
- b) The claimant suffered a loss of \$50,758.46 on or about May 9, or 10, 2008.

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

**DISBARRED on 12/14/2010**

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 Thomas and Mary Schwartz is eligible for reimbursement in the amount of \$50,758.46.

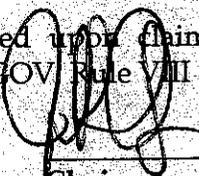
Payment of said amount is conditioned upon claimant complying with the subrogation assignment and other requirements of Sec. 6 of GOV. Rule VIII of the Ohio Supreme Court.

3-13-11

Date

*March 9, 2011*

Date

  
Chair

*Janet Green Marbley*  
Secretary

*The Supreme Court of Ohio*  
*Clients' Security Fund*  
65 South Front Street, 5<sup>th</sup> Floor  
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Chief Justice

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Administrator

**CLAIM DETERMINATION ENTRY**

In Re Application of Rajakumar Subramanian v. Howard Vincent Mishler  
Claim Number 08-0236

This cause came on for hearing before the Board of Commissioners of the Clients' Security Fund this 4<sup>th</sup> day of March, 2011 on the application of Rajakumar Subramanian alleging a loss in the amount of \$6,500, 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 Howard Vincent Mishler.
- b) The claimant suffered a loss of \$6,500 on or about May 12, 2008.

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

**DISBARRED on 12/14/2010**

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 Rajakumar Subramanian is eligible for reimbursement in the amount of \$6,500.

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

3-13-11

Date

March 9, 2011

Date

Chair

Secretary

Janet Green Marbley