ORIGINAL

IN THE SUPREME COURT OF OHIO

DISCIPLINARY COUNSEL,	:	Case No. 2011-0379
Relator,	:	
vs.	:	
CAROLYN KAYE RANKE,	:	
Respondent.	:	

MOTION FOR RECONSIDERATION OF RESPONDENT CAROLYN KAYE RANKE

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FILED
SEP 30 2011
CLERK OF COURT
SUPREME COURT OF OHIO

A. Introduction

Now comes Respondent, Carolyn Kaye Ranke, and pursuant to Ohio S.Ct.R.Prac. 11.2(A)(1)(4), hereby files this Motion for Reconsideration of the Court's Opinion of September 22, 2011. (See *Disciplinary Counsel v. Ranke*, Slip Opinion No. 2011-Ohio-4730, attached hereto as Exhibit "A")

B. Respondent's Ability to Defend These Proceedings Was Severely Compromised by a Serious Medical Condition

Respondent requests that this Court reconsider its Opinion because of truly exceptional circumstances which prevented her full cooperation with Disciplinary Counsel in the investigation of the grievances filed against her. Specifically, Respondent had been undergoing treatment for breast cancer during the entire underlying time period. (See, Medical Records attached hereto as Exhibit "B") From July, 2010 to the present day, Respondent has been battling against a deadly and aggressive form of breast cancer, which her doctors initially thought had spread to her ovaries. Because of her need to focus all of her efforts on her struggle with this extremely serious illness, Respondent did not respond to disciplinary counsel in an ideal manner, although it was not the case at all that she ignored Disciplinary Counsel. An affidavit executed by the Respondent detailing these circumstances is attached hereto. (See, Affidavit of Carolyn Kaye Ranke, attached as Exhibit "C" hereto)

As a result of this communication breakdown, the Opinion of this Court contains factual inaccuracies. Additionally, and most importantly, the Court was not able to consider appropriate mitigation factors, including all of the following: 1) the lack of a selfish or dishonest motive, 2) Respondent's reputation and character, 3) Respondent's compromised mental state, as the result of her illness and ongoing medical treatment.

C. Respondent's Alleged Misconduct Was Less Serious Than the Current Record Demonstrates

As outlined in this Court's Opinion, Respondent was accused of two instances of misconduct. The first act of misconduct involved an alleged delay in returning $516.25 to a client from Respondent's IOLTA account. As noted in this Court's Opinion, Respondent did appear for a deposition on this issue on September 24, 2009, and eventually responded to a subpoena, and in doing so provided copies of all relevant IOLTA account records for August, 2008 through January, 2010. See *Disciplinary Counsel v. Ranke*, supra, at ¶8. Importantly, no grievance was ever filed by any client concerning IOLTA funds, and the client never complained to Respondent or anyone else about this situation. Respondent's representation of this client continued without incident until last week's Opinion suspending Respondent was released. In fact, no client was ever shorted money by Respondent, nor did Respondent ever fail to account for or provide requested trust funds to a client.

The second allegation of misconduct against Respondent discussed in this Court's Opinion involved the purported failure to timely file a Brief on behalf of a client, Tierra Wilson, in a criminal appeal. If permitted to brief these issues more extensively by this Court, Respondent will demonstrate that Ms. Wilson's appeal was partially mooted by the fact that Ms. Wilson was received into an Alternative Sentencing Program, based solely on Respondent's efforts, which permitted her to visit with her friends and family and to be de-institutionalized. Also, Respondent did not accept any fee for her legal services related to the appeal.

Respondent had previously acted as Ms. Wilson's trial attorney and had obtained dismissals or not guilty verdict on the vast majority of the charges contained in the

indictment, and only charged Ms. Wilson a very nominal fee for these efforts at the trial court level. Thereafter, Respondent only took over the appeal from appointed appellate counsel at Ms. Wilson's urging.

D. Several Mitigating Factors Were Not Considered by This Court

It is Respondent's position that several mitigating factors, as spelled out by Section X of the Rules and Regulations Governing Complaints and Hearings before the Board of Commissioners on Grievances and Discipline ("BCGD Proc.Reg."), should have been considered, and if properly considered, would have resulted in a significantly lighter outcome than a two-year indefinite suspension. Specifically, BCGD Proc.Reg. 10(B)(2)(b), (c), (e), and (g) all would have mitigated in Respondent's favor.

Per BCGD Proc.Reg. 10(B)(2)(b) there was absolutely no dishonest or selfish motive on Respondent's part related to the underlying conduct. No client funds were ever misappropriated, the Respondent never financially benefitted from her conduct, and Respondent was not motivated by improper or selfish motivations.

Per BCGD Proc.Reg. 10(B)(2)(c), Respondent provided copies of her IOLTA statements to Disciplinary Counsel, rectified the inadvertent overdrafts of her account, and spoke directly with Tierra Wilson regarding the purported failure to timely file an appeal.

Per BCGD Proc.Reg. 10(B)(2)(e), Respondent has an excellent reputation for character and honesty in the legal community among prosecutors, judges, criminal defense lawyers, and civil trial attorneys alike.

Finally, per BCGD Proc.Reg. 10(B)(2)(g), Respondent was undergoing a time consuming personal battle with life threatening breast cancer during this entire time period. (See Medical Records, Exhibit "B" and Affidavit of Carolyn Kaye Ranke, Exhibit

"C") Clearly, these extraordinary circumstances caused a tremendous distraction from her professional duties and compromised her ability to properly defend the disciplinary charges brought against her.

E. The Case Law Cited by This Court is Distinguishable

Additionally, it is Respondent's position that the case law cited in this Court's Opinion involves instances of much more severe misconduct than the conduct purportedly engaged in by Respondent herein.

In *Akron Bar Assn. v. Goodlet*, 115 Ohio St.3d 7, 2007-Ohio-4271, at least two clients formally complained that the attorney took retainers, failed to account for the retainers, and failed to return the retainers. Id. at ¶18. No similar allegations have been lodged against Respondent.

In *Columbus Bar Assn. v. Emerson* (1999), 84 Ohio St.3d 375, the Respondent engaged in neglect and misrepresentation in five separate matters, in addition to failing to cooperate in the disciplinary investigation. The attorney in *Emerson* intentionally failed to return an entire retainer, failed to return requested client documents for multiple clients, and took no action whatsoever on matters for which he was retained. Id. at 376-377. The mitigation factors present in this case were not present in *Emerson*, and the number of instances of misconduct and severity of the misconduct were far greater in *Emerson* than in the present case.

Likewise, in *Cleveland Bar Assn. v. Davis*, 121 Ohio St.3d 337, 2009-Ohio-764, the attorney committed much more egregious misconduct, and engaged in far more instances of misconduct than present in the present case. The attorney in *Davis* was charged with eighteen (18) counts of professional misconduct. Id. at ¶4. The attorney in *Davis* repeatedly accepted money for services that were never rendered and lied about

his non-handling of these matters to clients. Yet, this Court did note in *Davis* that the attorney's illness (a stroke) was a mitigating factor, and considered it as such. Id. at ¶15.

The fourth and final case cited by this Court in its Opinion, *Dayton Bar Assn. v. Wilson*, 127 Ohio St.3d 10, 2010-Ohio-4937, is also distinguishable. In *Wilson*, the attorney failed to register with the Supreme Court and issued checks from her IOLTA account which did not clear. Id. at ¶6. The attorney also did not even have a valid address at which she could be contacted regarding Disciplinary proceedings. Id. at ¶12.

F. Disciplinary Counsel Knew or Should Have Known of Respondent's Condition

Respondent and her paralegal spoke with Disciplinary Counsel on more than one occasion, including on or about October 14, 2010, and informed him that she had undergone major surgery (an oophorectomy to remove her ovaries) only three days earlier, and that she was battling breast cancer. This oophorectomy surgery was performed on an emergency basis because of a concern that Respondent's cancer had metastasized to her ovaries. At the very least, this fact should have been noted in the report and/or recommendations of the Master Commissioner appointed by the Board of Commissioners on Grievance and Discipline, which constituted the Record before this Court.

In addition to the oophorectomy surgery, Respondent underwent three additional surgeries during this time period, including two lumpectomy procedures. Respondent also had biopsies performed of her breast which was not afflicted with breast cancer, after a lump was detected, and had biopsies performed of numerous potential metastasized growths in her liver. After one of these surgeries, Respondent developed a blood clot, which led to yet another surgery. Respondent underwent

extensive genetic counseling and testing and was referred for chemotherapy, although she opted against this treatment. Also, for a period of four months from November, 2010 to February, 2011, Respondent underwent daily radiation. Clearly these facts, if considered, would alter the perception of the blameworthiness of Respondent's conduct.

G. Other Relevant Events

As noted by this Court in its Decision, the Respondent was previously publicly reprimanded for failing to advise a client of a tactical decision not to oppose a summary judgment. See *Cleveland Metro. Bar Assn. v. Ranke*, 127 Ohio St.3d 126, 2010-Ohio-5036. Unfortunately, the proceedings in those cases, culminating with a hearing in December, 2009, and this Court's Order of October 21, 2010, dovetailed with the present disciplinary proceedings, as well as Respondent's critical, time-consuming, and life-threatening battle with advanced breast cancer, creating further confusion and ambiguity. See, *Cleveland Metro. Bar Assn. v. Ranke*, 127 Ohio St.3d 126, 2010-Ohio-5036. These circumstances all mitigate in favor of a reconsideration of this matter, as well as for an imposition of a less severe sentence.

H. Respondent is Fully Cooperating With Her Duties Upon Suspension

Finally, Respondent has complied to date with all requirements of Supreme Court Rule of Government of the Bar, Rule 5, Section 8(E)(1)-(4), including contacting clients, sending certified letters to clients concerning her suspension, attending to her IOLTA account, and taking all necessary steps to safeguard the smooth transition of client matters to new counsel. Respondent's diligence and her attention to these matters should be taken as a sign of good faith and willingness to accept whatever revised sanction this Court may issue.

I. Conclusion

For all of the foregoing reasons, this Court should reconsider its Opinion of September 22, 2011.

Respectfully submitted,

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Attorneys for Respondent
Carolyn Kaye Ranke

CERTIFICATE OF SERVICE

A copy of the foregoing document was sent by regular U.S. mail on this 30th day of September, 2011, to:

Philip A. King, Esq.
Asst. Disciplinary Counsel
Office of Disciplinary Counsel
250 Civic Center Drive, Ste. 325
Columbus, Ohio 43215

George Coakley by ZBP (0063606) for:
GEORGE S. COAKLEY (0020419)
MARTIN T. GALVIN (0063624)

NOTICE

This slip opinion is subject to formal revision before it is published in an advance sheet of the Ohio Official Reports. Readers are requested to promptly notify the Reporter of Decisions, Supreme Court of Ohio, 65 South Front Street, Columbus, Ohio 43215, of any typographical or other formal errors in the opinion, in order that corrections may be made before the opinion is published.

SLIP OPINION NO. 2011-OHIO-4730

DISCIPLINARY COUNSEL *v.* RANKE.

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Disciplinary Counsel v. Ranke,* Slip Opinion No. 2011-Ohio-4730.]

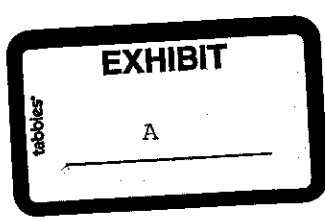
(No. 2011-0379 — Submitted April 19, 2011 — Decided September 22, 2011.)

Attorneys — Misconduct — Failure to properly maintain client trust account — Failure to file appellate brief — Failure to cooperate — Prior disciplinary infraction — Indefinite suspension.

ON CERTIFIED REPORT by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 10-053.

Per Curiam.

{¶ 1} Respondent, Carolyn Kaye Ranke of Cleveland, Ohio, Attorney Registration No. 0043735, was admitted to the practice of law in Ohio in 1989. On October 21, 2010, we publicly reprimanded her for neglect of an entrusted legal matter. *Cleveland Metro. Bar Assn. v. Ranke,* 127 Ohio St.3d 126, 2010-Ohio-5036, 937 N.E.2d 84.



{¶ 2} On June 14, 2010, relator, Disciplinary Counsel, filed a complaint charging respondent with three counts of misconduct involving violations of the Ohio Rules of Professional Conduct and the Supreme Court Rules for the Government of the Bar. The complaint alleged that respondent had improperly maintained her client trust account, failed to file an appellate brief on behalf of a client, and failed to cooperate in the ensuing disciplinary investigation.

{¶ 3} Respondent was served by certified mail with a copy of the complaint, but did not file an answer or otherwise respond. Relator filed a motion for default judgment on November 30, 2010, pursuant to Gov.Bar R. V(6)(F), supported by an affidavit from an assistant disciplinary counsel.

{¶ 4} The Board of Commissioners on Grievances and Discipline appointed a master commissioner, who considered the motion for default and prepared a report containing findings of fact and conclusions of law and recommending that respondent be indefinitely suspended from the practice of law. The board adopted the master commissioner's report in its entirety. We agree that respondent has committed professional misconduct as found by the master commissioner and the board and that an indefinite suspension is warranted.

Misconduct

Count One

{¶ 5} Respondent has maintained an IOLTA account at FirstMerit Bank since 1999. She is the only authorized user of the account. In October 2008, respondent deposited $10,000 that belonged to a client, Christopher Jerry, into her IOLTA account and agreed to use the money to pay the client's bills for him at no charge. She wrote six checks on his behalf totaling $9,483.75. Relator alleged that respondent stopped representing Jerry in July 2009, but did not return the remaining $516.25 to him.

{¶ 6} In June 2009, respondent advanced $1,000 from her IOLTA account to client Shanese McClain. None of the funds belonged to McClain when respondent made the advance.

{¶ 7} FirstMerit Bank notified relator in July 2009 that respondent's IOLTA account was overdrawn. Relator then sent respondent a letter of inquiry with a copy of the overdraft notice. Respondent did not reply. When respondent did not respond to a second letter of inquiry, relator sent a subpoena duces tecum to respondent, requiring her to appear and testify about the overdraft and to bring copies of her client ledgers and IOLTA account statements. Respondent did not appear and did not advise relator that she would not appear.

{¶ 8} Relator sent a second subpoena. This time, respondent appeared for her deposition on September 24, 2009, but failed to bring the required documents. Eventually, in response to its subpoena, relator received copies of respondent's IOLTA account records for August 2008, through January 2010, that substantiated misuses of the account.

{¶ 9} The master commissioner found by clear and convincing evidence, and the board agreed, that with regard to Count One, respondent had violated Prof.Cond.R. 1.8(e) (prohibiting a lawyer from providing financial assistance to a client for expenses other than court or litigation costs), 1.15(a)(2) (requiring a lawyer to maintain a record for each client on whose behalf funds are held), 1.15(a)(5) (requiring a lawyer to perform and retain a monthly reconciliation of trust account funds), and 1.15(d) (requiring a lawyer to promptly deliver funds or other property that the client is entitled to receive).

{¶ 10} We agree that respondent's misconduct as alleged in Count One violated the above Rules of Professional Conduct, with the exception of Prof.Cond.R. 1.15(d). There is insufficient evidence in the record that respondent had ceased representing Jerry in July 2009 or that Jerry was entitled to receive the remaining funds from his initial deposit. Therefore, we dismiss the violation of

Prof.Cond.R. 1.15(d) because it is not supported by clear and convincing evidence.

Count Two

{¶ 11} In January 2009, respondent filed a notice of appearance in the Eighth District Court of Appeals on behalf of Tierra Wilson, who was appealing her criminal conviction. The court granted respondent four extensions of time but respondent never filed Wilson's brief. The court finally dismissed Wilson's appeal for respondent's failure to file a brief. Wilson wrote to respondent on several occasions asking about the progress of her appeal. Respondent did not respond to Wilson's letters and did not tell her that her criminal appeal had been dismissed.

{¶ 12} In October 2009, relator sent respondent a letter of inquiry with a copy of a grievance that relator had received from Wilson. Respondent did not reply. Relator sent respondent a second letter of inquiry in November 2009 and a third in February 2010, each by certified mail. Respondent did not respond to the letters.

{¶ 13} The master commissioner found by clear and convincing evidence, and the board agreed, that respondent had violated Prof.Cond.R. 1.2(a) (requiring a lawyer to abide by a client's decisions regarding the objectives of the representation), 1.3 (requiring a lawyer to act with reasonable diligence and promptness in representing a client), 1.4(a)(3) (requiring a lawyer to keep the client reasonably informed about the status of a legal matter), 8.4(d) (prohibiting conduct that is prejudicial to the administration of justice), and 8.4(h) (prohibiting conduct that adversely reflects on the lawyer's fitness to practice law).

{¶ 14} We agree that the respondent's misconduct as alleged in Count Two violated the above rules.

Count Three

{¶ 15} Despite repeated efforts to contact respondent regarding the allegations in Count One and Count Two of the complaint, respondent failed to cooperate with relator's investigation in either matter. The master commissioner found by clear and convincing evidence, and the board agreed, that respondent had violated Prof.Cond.R. 8.1(b) (prohibiting a lawyer from knowingly failing to respond to a demand for information from a disciplinary authority) and Gov.Bar R. V(4)(G) (failing to cooperate with a disciplinary investigation).

{¶ 16} We agree that respondent's misconduct as alleged in Count Three violated the above rules.

Aggravation and Mitigation

{¶ 17} Section 10 of the Rules and Regulations Governing Complaints and Hearings Before the Board of Commissioners on Grievances and Discipline ("BCGD Proc.Reg.") sets forth guidelines for imposing sanctions on a lawyer, including the aggravating and mitigating factors that are to be considered. The master commissioner found there were no mitigating factors in this case. The master commissioner found the following factors to be aggravating: respondent's multiple offenses, lack of cooperation in the disciplinary process, refusal to acknowledge the wrongful nature of her conduct, and the vulnerability of and resulting harm to the victims, BCGD Proc.Reg. 10(B)(1)(d), (e), (g), and (h), as well as the prior disciplinary offense for which she was given a public reprimand. BCGD Proc.Reg. 10(B)(1)(a).

Sanction

{¶ 18} The master commissioner recommended that respondent be indefinitely suspended from the practice of law. In support of this recommendation, the master commissioner relied on similar cases in which this court imposed an indefinite suspension on an attorney. In *Akron Bar Assn. v. Goodlet*, 115 Ohio St.3d 7, 2007-Ohio-4271, 873 N.E.2d 815, we indefinitely suspended the respondent for neglecting his duty to pursue his clients' claims, for

engaging in conduct prejudicial to the administration of justice, and for failing to cooperate in the disciplinary process. Like the respondent in this case, Goodlet also had a prior disciplinary record.

{¶ 19} In *Columbus Bar Assn. v. Emerson* (1999), 84 Ohio St.3d 375, 704 N.E.2d 238, the respondent had engaged in neglect and misrepresentation in five cases and failed to cooperate in the disciplinary investigation. He was indefinitely suspended from the practice of law.

{¶ 20} In *Cleveland Bar Assn. v. Davis*, 121 Ohio St.3d 337, 2009-Ohio-764, 904 N.E.2d 517, we indefinitely suspended the respondent for multiple instances of neglect and misconduct and for failure to cooperate in the disciplinary process. And in *Dayton Bar Assn. v. Wilson*, 127 Ohio St.3d 10, 2010-Ohio-4937, 935 N.E.2d 841, the respondent was indefinitely suspended from the practice of law as a result of her failure to maintain accurate records of the funds in her client trust account, failure to promptly deliver funds to a client, failure to diligently represent her client, and failure to cooperate with the relator's investigation.

{¶ 21} In the instant case, the board adopted the sanction as recommended by the master commissioner. We accept the board's recommendation and order that respondent be suspended from the practice of law indefinitely. Costs taxed to respondent.

Judgment accordingly.

O'CONNOR, C.J., and PFEIFER, LUNDBERG STRATTON, O'DONNELL, LANZINGER, CUPP, and MCGEE BROWN, JJ., concur.

Jonathan E. Coughlan, Disciplinary Counsel, and Philip A. King, Assistant Disciplinary Counsel, for relator.

ATTACHMENT NOT SCANNED

AFFIDAVIT

STATE OF OHIO)
) **ss.**
COUNTY OF CUYAHOGA)

CAROLYN KAYE RANKE, being duly sworn, does hereby state the following:

1. I am the respondent in the matter styled, *Disciplinary Counsel, Relator v Carolyn Kaye Ranke, Respondent.*

2. I acknowledge receipt of the complaint filed against me by the Office of Disciplinary Counsel for the Supreme Court of Ohio on or about June 21, 2010. I also acknowledge my failure to answer or respond to this complaint on my own behalf.

3. Sometime in May, 2010, I discovered a lump in my right breast and began seeking medical attention. After a series of mammograms, ultrasounds and x-rays, I learned that the breast mass was suspicious and was referred to a surgeon.

4. In July 2010, I underwent a needle biopsy of the mass which revealed abnormal malignant cells.

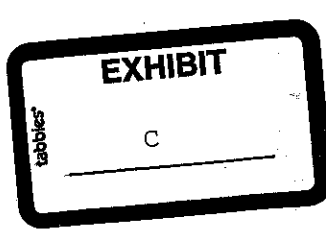
5. On August 13, 2010, I had a lumpectomy to remove the mass. The biopsy revealed a 2 cm invasive malignant cancer. This surgery did not result in clear margins and cancer remained in my body.

6. I then underwent a series of additional MRIs, Pet-scans and ultrasounds to determine if the malignancy had spread to other parts of my body. A mass on my ovary and liver were identified but were not determined to be related at that time.

7. Throughout the months of May through August, I continued to work and conduct my practice. I maintained an active trial schedule and took off days as necessary.

8. On September 3, 2010, I had a second lumpectomy in which additional breast tissue and 2 lymph nodes were removed. While in the surgery, the lymph nodes were tested and declared negative. Subsequently upon full pathological testing, some suspected cancer cells were located. However, no other lymph nodes were removed. This surgery necessitated an approximate 10 day recovery period.

9. Because this surgery still did not result in clear margins, a 3rd surgery was performed on September 24, 2010. During the recovery period, a blood clot developed in my breast which was cleaned out during the procedure.



10. After my case was reviewed by the oncology tumor review board, additional testing was necessary to determine if chemo-therapy would be required. This testing, onco-testing, involves the injection of chemo-therapy drugs into the biopsied cells to determine if the cancer would be responsive to this treatment. The results take an approximate 15 day period since a culture is required to grow.

11. This test had to be completed on 3 different occasions to obtain an accurate reading. My life was on hold during the months of September, October and November before a full treatment regiment was in place. It was an extremely stressful time for me as I was unsure what path my life would be taking over the following 6 months while waiting to see if chemo-therapy would be required. If so, I would not be able to work at all due to the extreme side effects that would be involved.

12. After consultation with my oncologist, it was suspected that the mass on my ovary was a second primary site of cancer. Testing revealed abnormal cells which did not match the breast cancer. My doctors believed that I had a second separate cancer.

13. On October 18, 2010, I underwent a 4th surgical procedure wherein both of my ovaries were removed. This surgery was done on an emergency basis. Fortunately, the biopsy revealed no malignancy. Due to the nature of this major surgery, the recovery period lasted an approximate 14 day period.

14. The week of this surgery, Assistant Disciplinary Counsel, Philip King called my office and spoke with my paralegal, Sheila Thorne. She informed him that I was out of the office following surgery and that I had been diagnosed with breast cancer.

15. On or about October 20, I returned Mr. King's telephone call from my home. I acknowledged receipt of the complaint and told him that I was not intentionally disregarding the process. I also told him that I would be filing an answer in the near future. In this conversation, I also confided to him that I had been diagnosed with breast cancer and related the 4 surgeries as well as my treatment status.

16. During the week after Thanksgiving, I finally received the results of the testing and discovered that my cancer would not be responsive to chemo-therapy. I immediately began radiation therapy on a daily basis beginning in December 2010.

17. I completed radiation treatment on a daily basis throughout the months of December and January. I received my treatment at 7:00 a.m. every day so that I could continue to practice law and work on behalf of my clients. Besides treatment and work, I was unable to do much else. I often went to bed at 7:00 p.m. due to the extreme exhaustion that resulted from the treatment.

18. After completing radiation in February 2011, a new mass was discovered in my other breast a series of diagnostic tests was again required. Following a biopsy, the mass proved to be benign.

19. While going through this process, I learned that a default judgment had been taken against me and that a suspension was being recommended. In my mind, I still intended to defend myself as I knew the findings were incomplete. I believed I had meritorious defenses and mitigating factors. I lost hope at this point due the entirety of the circumstances.

20. I did not willfully refuse to cooperate in the process. I had spoken with Mr. King on many occasions in the past, and I had informed of my circumstances personally. I willingly allowed my deposition to be taken and worked with him to resolve all issues related to the IOLTA account. I attempted to explain any issue and there was no deception with any client or their funds. I know that I was late during time periods due to my case load but ultimately the time to respond came at my lowest point.

21. Looking back, I realize that I was overloaded with my circumstances and paralyzed with the stress of everything. I was able to defend my clients but unable to defend myself. I never would voluntarily allow my law license or the privilege of practicing to be taken away.

22. The one thing that got me through this difficult time was my practice and the ability to still fight something within my control on a daily basis. I deeply regret my actions.

FURTHER AFFIANT SAYETH NAUGHT.

CAROLYN KAYE RANKE

NOTARY CLAUSE

Sworn to and subscribed to in my presence on this 29 day of September, 2011.

NOTARY PUBLIC

SHEILA A. THORNE
Notary Public – State of Ohio
My Commission Expires June 20, 2016
Recorded in Cuyahoga County