

ORIGINAL

THE SUPREME COURT OF OHIO

TOLEDO BAR ASSOCIATION

Relator,

v.

BEAUREGARD MAXIMILLION HARVEY,

Respondent.

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Case No.: 11-012

11-1760

OBJECTION TO FINDINGS OF  
FACT, CONCLUSIONS OF  
LAW AND  
RECOMMENDATIONS

Beau Harvey (0078717)  
425 Jefferson Ave., Ste. 910  
Toledo, OH 43604  
Telephone: (419) 720-0400  
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Respondent

Now comes the Respondent, Beau Harvey, and files his Objections to the Findings of Fact, Conclusions of Law, and Recommendations filed in this matter.

OVERVIEW

This matter is a highly stipulated case with Respondent accepting that he committed acts that warrant some form of sanction. Therefore, Respondent will limit the scope of his objections to the Aggravating and Mitigating Factors and the Recommended Sanction by the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio ("Board").

FILED  
DEC 02 2011  
CLERK OF COURT  
SUPREME COURT OF OHIO

### **OBJECTION 1**

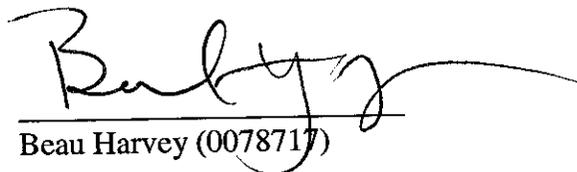
Respondent objects to the Board not considering two monumental life events as mitigating factors (paragraph 24, footnote 1). Respondent testified that he was in the process of a divorce that took nearly two years and that his mother had died during the exact time frame of the misconduct. The Board cited that the "...proof the stress and its effect on misconduct was insufficient to be considered in mitigation." The Board's lack of consideration relating to Respondent's personal life matters should have been considered as further mitigation pursuant to BCGD Proc. Reg. 10(B)(2). The Board is not limited to the factors delineated in BCGD Proc. Reg. 10(B)(2) and should have considered Respondent's testimony relating to his affairs.

### **OBJECTION 2**

Respondent respectfully objects to Recommended Sanction as described in paragraphs 25 through 27 that requests this Court to suspend Respondent's license to practice law for one year with six months stayed. Respondent believes that a less severe punishment is warranted based upon all of the factors and mitigation.

WHEREFORE, Respondent respectfully requests an oral hearing on this matter and requests that this Court reject the Board's recommendation relating to the requested sanction.

Respectfully submitted,

  
Beau Harvey (0078717)

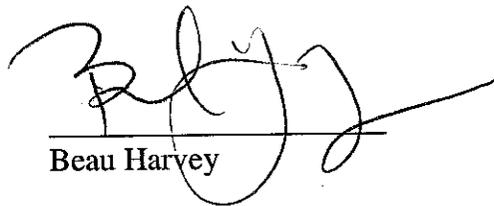
**CERTIFICATION**

I hereby certify that a copy of the foregoing was served via first class mail, postage prepaid, this 1st day of December, 2011 to:

The Supreme Court of Ohio  
Board of Commissioners on Grievances & Discipline  
65 South Front Street  
5<sup>th</sup> Floor  
Columbus, OH 43215-3431

Gordon R. Barry  
420 Madison Street  
Toledo, OH 43604

Michael A. Bonfiglio  
311 N. Superior Street  
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Beau Harvey