

IN THE SUPREME COURT OF OHIO

Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, OH 43215
Relator

CASE NO. 2010-1601

**RELATOR'S MOTION TO WITHDRAW
RELATOR'S MOTION TO STRIKE
RESPONDENT'S AFFIDAVIT FILED IN
SUPPORT OF HIS REINSTATEMENT**

Vincent A. Stafford
Reg. No. 0059846
55 Erieview Plaza, 5th Floor
Cleveland, OH 44114
Respondent

**RELATOR'S MOTION TO WITHDRAW
RELATOR'S MOTION TO STRIKE RESPONDENT'S
AFFIDAVIT FILED IN SUPPORT OF HIS REINSTATEMENT**

INTRODUCTION

Now comes relator, Disciplinary Counsel, and hereby asks this Court for leave to withdraw the motion filed on April 16, 2012 asking to strike the "affidavit" filed by respondent, Vincent A. Stafford. For the reasons set forth in the following memorandum, this Court should permit relator to withdraw its motion to strike at this time. Relator also asks this Court to permit him to reserve the right to refile the motion to strike should circumstances warrant such resubmission.

FILED
APR 17 2012
CLERK OF COURT
SUPREME COURT OF OHIO

MEMORANDUM

In the motion to strike filed on April 16, 2011, relator brought to this Court's attention the obvious and glaring differences in what are purportedly two signatures of the same person. Ostensibly, Karen A. Koenig, who is apparently also known as Karen Koenig, signed and notarized two affidavits, one on April 5th and one on April 6th, using signatures that are not even remotely similar.¹

As alleged in the motion to strike, a side-by-side examination of the affidavits indicates that the same person did not sign both of the documents. Relator asserted that upon information and belief, the "signature" of "Karen Koenig" on respondent's April 5, 2012 affidavit is not that of Koenig. Notably, at no time did relator accuse respondent of "forgery" or of "forging" Koenig's signature.

Relator also based its conclusion about the signatures upon a letter dated March 15, 2012, also purportedly signed by "Karen A. Koenig" as a "Paralegal."² Again, a side-by-side comparison of the March 2012 letter with respondent's "affidavit," indicates that the same person did not sign both documents.

Public records indicate that the Notary Public commissioned in Cuyahoga County with a commission expiration date of March 17, 2015 was commissioned as "Karen A. Koenig," not "Karen Koenig." Appendix 1. "Karen A. Koenig" is the name that appears on the April 6, 2012 affidavit and the March 15, 2012 letter.

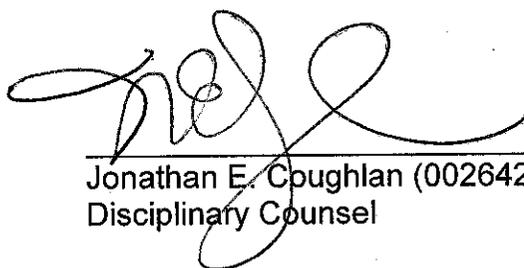
In response to relator's motion to strike, respondent contacted relator and demanded that relator "retract and withdraw" the motion to strike. Appendix 2. Inter

¹ Respondent's affidavit is dated April 5, 2012 and is Appendix B to the motion to strike. The affidavit of Joseph G. Stafford is dated April 6, 2012 and is Appendix C to the motion to strike.

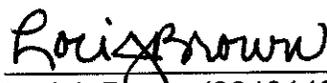
alia, respondent's demand included an affidavit purportedly executed by Koenig in which Koenig avers that "all signatures of Karen Koenig identified in Disciplinary Counsel's Motion to Strike, including those in Appendix A (sic), B, C, and D, are the true and accurate signatures of the Affiant." Koenig's affidavit is entirely silent as to the marked differences in her signatures between Appendices B and C or B and D. Koenig's affidavit is entirely silent as to why she ostensibly varies the use of her commissioned name, i.e. "Karen A. Koenig."

Nevertheless, at this time, relator respectfully asks this Court to withdraw the motion to strike filed by relator on April 16, 2011.

Respectfully submitted,



Jonathan E. Coughlan (0026424)
Disciplinary Counsel



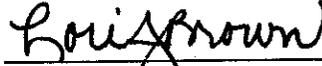
Lori J. Brown (0040142)
Chief Assistant Disciplinary Counsel

Counsel of Record
205 Civic Center Drive, Suite 325
Columbus, Ohio 43215
614.461.0256

² The March 15, 2012 letter is Appendix D to the motion to strike.

CERTIFICATE OF SERVICE

A copy of the foregoing Request to Withdraw Relator's Motion to Strike has been served upon Vincent Arthur Stafford, 55 Erieview Plaza, 5th Floor, Cleveland, OH 44115, via regular U.S. mail, postage prepaid, this 17th day of April, 2012.



Lori J. Brown
Counsel of Record



Jon Husted & the Agency | Elections & Voting | Campaign Finance | Legislation & Ballot Issues | Businesses | Records | Media Center | Publications

Business Services: Other Records

Your Business Begins Here



Search For Ohio Notaries Public

First Name: Starts with *

Last Name: Starts with *

County: *

Zip:

A notary commission is not valid until it has been recorded by the clerk of the court of common pleas in the county where the notary resides. Please contact the county to verify the validity of a notary listed here.

Report

Notary Name	Address	County	Commission Number	Notary Type	Special Type	Commencing	Commission	Expiration	Comment
KAREN KOENIG	740 HICKORY HOLLOW RD TROY OH 45373-9612	MIAMI	100448	Notary Public	None	04-FEB-94	03-FEB-94	03-FEB-99	-
KAREN A KOENIG	15506 VIOLET AVENUE CLEVELAND OH 44135	CUYAHOGA	2005-RE-94911	Notary Public	None	09-MAR-05	09-MAR-05	08-MAR-10	-
KAREN A KOENIG	15506 VIOLET AVENUE CLEVELAND OH 44135	CUYAHOGA	2010-RE-324803	Notary Public	None	18-MAR-10	18-MAR-10	17-MAR-15	-
KAREN A KOENIG	7114 STATE ROUTE 241 MILLERSBURG OH 44654	HOLMES	2005-RE-90136	Notary Public	None	24-FEB-05	31-JAN-05	23-FEB-10	-
KAREN A. KOENIG	7114 S. R. 241 MILLERSBURG OH 44654	HOLMES	39849	Notary Public	None	24-FEB-00	04-FEB-00	22-FEB-05	-

1 - 5

[Download](#)



08-081
RECEIVED
LJB
APR 17 2012

Disciplinary Counsel
Supreme Court of Ohio

FACSIMILE COVER SHEET

DATE: April 17, 2012

SEND MESSAGE TO: Jonathan Coughlin
Lori J. Brown

FAX NUMBER: 614-461-7205

MESSAGE FROM: Vincent A. Stafford

TRANSMITTING 5 PAGES (INCLUDING THIS COVER SHEET)

Re: Disciplinary Counsel v. Vincent A. Stafford

PLEASE CALL (216) 241-1074 IF TRANSMISSION IS INCOMPLETE.

The information contained in this facsimile message is privileged and confidential information, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via U.S. Postal Service.



55 Erieview Plaza, 5th Floor
Cleveland, Ohio 44114

April 17, 2012

VIA FACSIMILE @ 614-461-7205

Mr. Jonathan Coughlin
Ms. Lori J. Brown
Office of Disciplinary Counsel
Supreme Court of Ohio
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215

Re: Disciplinary Counsel v. Vincent A. Stafford
Case No: 2010-1601

Dear Mr. Coughlin and Ms. Brown:

I am in receipt of your April 16, 2012 Motion to Strike. This correspondence will serve as a specific demand for you to retract and withdraw the improper and factually incorrect Motion to Strike. The Motion to Strike is patently false. I trust it is not intentionally filed to delay my appropriate re-admission to the practice of law. However, its filing will serve this improper motive if you do not withdraw the improper motion. The Motion to Strike is reckless in that there is no good faith basis to assert your claims. The Motion to Strike could be viewed and filed to harass, abuse and annoy. Your Office has not engaged in any due diligence and you have now defamed me by accusing me of forgery in a public forum with false and scandalous material without any good faith basis. I am surprised by the fact that you did not even contact Ms. Koenig to verify her signature on the Affidavit before filing a false Motion to Strike.

I have included Ms. Koenig's sworn Affidavit verifying her notary signature on my April 5, 2012 Affidavit, which was attached to the Application for Readmission. Ms. Koenig has affirmed the authenticity of her Notary signature which you have labeled as a "forgery". Ms. Koenig has reviewed your assertions in the Motion to Strike and has sworn under oath that your claims of a "forged" signature are false and inaccurate.

Letter to Jonathan Coughlin and Lori J. Brown
April 17, 2012, Page Two

Further, Ms. Koenig asserts that had you simply contacted her, she would have verified the accuracy of her signature. I find your Motion to Strike as a thinly veiled subterfuge designed to frustrate, impede and delay my readmission. The Motion to Strike has no good faith basis. I am attempting to resolve this matter in good faith without judicial intervention.

I am demanding that Disciplinary Counsel retract and withdraw the Motion to Strike by the close of business today.

Sincerely,

A handwritten signature in black ink, appearing to read "Vincent A. Stafford". The signature is stylized with several overlapping loops and a long horizontal stroke extending to the right.

Vincent A. Stafford

STATE OF OHIO)
)
COUNTY OF CUYAHOGA)

SS:

AFFIDAVIT

KAREN KOENIG, first being duly sworn according to law, deposes and states the following:

1. AFFIANT states that she is a Notary Public with a valid commission in the State of Ohio until March 17, 2015.
2. AFFIANT states further that Vincent A. Stafford appeared before me and executed an Affidavit on April 5, 2012. The Affidavit signed and executed by Vincent A. Stafford on April 5, 2012 was notarized and signed by the Affiant on April 5, 2012. A true and correct copy of the notarized and signed Affidavit of Vincent A. Stafford is attached hereto as Exhibit "A".
3. AFFIANT states further that Vincent A. Stafford's Affidavit contains my true signature and in no way is a forgery, alteration or modification of Affiant's signature.
4. AFFIANT states further that she has read and reviewed Vincent A. Stafford's Application for Reinstatement to the Practice of Law filed on April 6, 2012 with the Supreme Court of Ohio in Case No: 2010-1601 and Vincent A. Stafford's Affidavit attached to the Application for Reinstatement. Affiant states the Affidavit of Vincent A. Stafford is a true and accurate copy of the notarized Affidavit of Vincent A. Stafford on April 5, 2012 which Affiant witnessed, notarized and signed as a Notary Public.
5. AFFIANT states further that she has not been contacted, interviewed and/or questioned by any individual, investigator and/or counsel from the Office of Disciplinary Counsel, including Jonathan Coughlin and Lori J. Brown to verify Affiant's true signature on Vincent A. Stafford's Affidavit of April 5, 2012.
6. AFFIANT states further that she has read and reviewed the Motion to Strike

Respondent's Affidavit filed in Support of his Application for Reinstatement as filed by Disciplinary Counsel.

7. AFFIANT states further that all assertions, claims or statements contained in the Motion to Strike Respondent's Application for Reinstatement filed by Disciplinary Counsel that Vincent A. Stafford's Affidavit contains a "false", "forged", altered or other fictitious signature of the Affiant are incorrect, false and untrue.

8. AFFIANT states further that all signatures of Karen Koenig identified in Disciplinary Counsel's Motion to Strike, including those in Appendix A, B, C, and D, are the true and accurate signatures of the Affiant. Disciplinary Counsel's claims that these signatures are forged or altered are false and inaccurate.

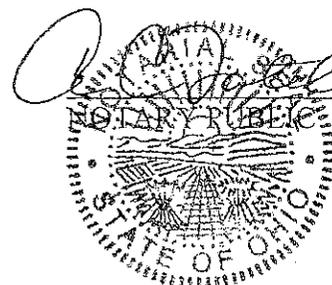
9. AFFIANT states further that her true and accurate signature appears on Vincent A. Stafford's Affidavit, which is attached to his Application for Reinstatement filed on April 6, 2012.

10. AFFIANT states further that had the Office of Disciplinary Counsel contacted her concerning the authenticity of her signature of Vincent A. Stafford of April 5, 2012, she would have verified the true, accurate and authenticity of her signature on Vincent A. Stafford's Affidavit of April 5, 2012.

AFFIANT FURTHER SAYETH NAUGHT.


KAREN KOENIG

SUBSCRIBED AND SWORN TO BEFORE ME this 17th day of April, 2012.


ANNE C. FANTELLI
Attorney At Law
NOTARY PUBLIC
STATE OF OHIO
My Commission Has
No Expiration Date
Section 147.03 O.R.C.