

ORIGINAL

THE SUPREME COURT OF OHIO

Cincinnati Bar Association,

Relator

Case No. 2009-2302

vs.

Paul J. Kellogg,

Respondent – Petitioner

PETITION FOR REINSTATEMENT

Peter Rosenwald, Esq. (#0008197)
The Citadel Building
114 East Eighth Street
Cincinnati, OH 45202
(513) 621-2257

Paul J. Kellogg
Pro Se
5249 Tasselberry Drive
West Chester, OH 45069
(513) 325-4223

COUNSEL OF RECORD FOR RELATOR

PRO SE PETITIONER

Susan R. Bell, Esq. (#0069574)
537 Pete Rose Way
Suite 400
Cincinnati, OH 45202
(513) 852-8200

CO-COUNSEL FOR RELATOR

FILED
JUL 23 2012
CLERK OF COURT
SUPREME COURT OF OHIO

Pursuant to Gov. R. V (10) (B), Respondent-Petitioner, Paul J. Kellogg, "Petitioner," Pro Se, respectfully requests this Court to reinstate him to the practice of law. This Petition is verified by the accompanying affidavit.

I. Eligibility to seek reinstatement

- A. Petitioner is eligible for reinstatement to the practice of law.
- B. This is the first petition for reinstatement Petitioner has filed.

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C. This Petition is filed more than two years after this Court's entry and order suspending Petitioner from the practice of law for an indefinite period that was entered on July 20, 2010.

D. U.S. District Court Judge S. Arthur Spiegel, who presided over Petitioner's case, terminated Petitioner's three year term of Supervised Release after one year on November 29, 2010 based on the recommendation of the U.S. Probation Office and for good cause shown. Therefore, Petitioner has completed his term of Supervised Release as required by this Court's entry and order suspending Petitioner from the practice of law for an indefinite period. A Copy of the Court's Order Terminating Supervised Release is attached hereto as Exhibit A.

E. This Court's order suspending Petitioner from the practice of law was reported in the Ohio Official Reports as Cincinnati Bar Assn. v. Kellogg, (2010) 126 Ohio St.3d 360, 2010-Ohio-3285.

F. Petitioner resides in Butler County, Ohio and intends to maintain an office in Hamilton County, Ohio. Accordingly, the bar associations implicated by this Petition are the Butler County Bar Association, Cincinnati Bar Association and the Ohio State Bar Association.

G. The persons and organizations under Gov. R. V Section (10)(C) and Gov. Bar R. V Section (8)(D)(1) to receive copies of the order resulting in Petitioner's suspension are: the Office of Disciplinary Counsel, Cincinnati Bar Association, Relator represented by Peter Rosenwald and Susan Bell, the Ohio State Bar Association, the Butler County Bar Association, the administrative Judge for Butler County Court of Common Pleas; the Administrative Judge for Hamilton County Court of Common Pleas; and the Chief Judge for the United States District Court for the Southern District of Ohio.

H. Petitioner has complied with all continuing legal education requirements pursuant to Gov. Bar. R. X, Section 3(G) and this Court's Order. A copy of Petitioner's CLE transcripts is attached hereto as Exhibit B.

II. MENTAL QUALIFICATIONS

A. Petitioner has never been counseled or treated for a mental, emotional, psychological or nervous condition, which permanently or temporarily, presently or chronically, impaired or distorted his judgment, behavior, capacity to recognize reality or ability to cope with the demands of life or the practice of law.

B. The criminal conduct Petitioner was involved in that gave rise to the instant license suspension was in no way related to any mental condition. Moreover, at no time, including the pendency of this disciplinary process, did Petitioner allege or claim that a mental condition or issue was partly or fully responsible for his misconduct. Petitioner has accepted responsibility for his misconduct and did not attempt to attribute it to anything other than his own lack of judgment.

III. EDUCATIONAL QUALIFICATIONS

A. Petitioner was awarded his Bachelor of Science in Communications, *Cum Laude*, from Ohio University, Athens, Ohio in June, 1989.

B. Petitioner was awarded his Juris Doctorate from the University of Dayton School of Law in May, 1993.

C. Petitioner passed the Ohio Bar Examination on his first attempt in 1993, and was admitted to practice law in Ohio in November, 1993.

IV. MORAL QUALIFICATIONS

A. Petitioner has never been investigated, charged or prosecuted for moral, ethical or criminal wrong doing other than for his 2008 criminal conviction giving rise to the instant law license suspension.

B. Moreover, this Court noted in its decision suspending Petitioner that the letters and testimony offered by Petitioner during his disciplinary proceeding demonstrate that he is known for his honesty and integrity, despite his criminal convictions, and that the conduct leading to his convictions was an aberration, rather than the norm. Cincinnati Bar Assn. v. Kellogg, (2010) 126 Ohio St.3d at 365.

V. FITNESS TO PRACTICE LAW

A. Notwithstanding Petitioner's previous disciplinary action, Petitioner is a proper person to be re-admitted to the practice of law in Ohio.

B. There was no restitution to be paid in Petitioner's case.

C. The conduct giving rise to the crimes for which Petitioner was suspended occurred in 2004. The entire eleven years before and the entire five years after 2004 Petitioner practiced law without incident and was in no way investigated, charged, prosecuted or convicted of any crime or wrong doing, other than the misconduct giving rise to the instant suspension.¹

D. Since his mistakes in 2004, Petitioner has engaged in nothing but lawful, productive conduct beneficial to his employers, family, friends and the public in general. Petitioner has been an active volunteer with the Cincinnati Chapter of the Leukemia and Lymphoma Society², the Northeast Lawyer's Club (an all-volunteer not for profit corporation

¹ Petitioner was suspended for 7 days in days in 2009 for failing to register with the Supreme Court.

² Petitioner is a leukemia survivor. He was first diagnosed with leukemia in October, 2004 and then suffered a relapse in July, 2008. His leukemia is now in remission.

providing CLEs for attorneys) and has coached youth soccer, Little League Baseball and youth football.

E. Petitioner did not appeal his criminal convictions, accepting and serving his sentence as the just consequences of his actions.

F. Petitioner has not tried to hide from the consequences of his conduct. Petitioner immediately ceased practicing law the day after his sentencing, when he voluntarily notified Disciplinary Counsel of his conviction. Approximately 15 months later, on December 14, 2009 petitioner received an interim felony suspension.

G. Petitioner successfully completed his Federal Supervised Release two years early, based on his good behavior, strict compliance with probationary rules, and overall lack of a need to be supervised. The United States Attorney's Office made no objections to the early termination of Petitioner's Supervised Release.

H. Since Petitioner's release from prison he has been gainfully employed in a non-attorney role, first by One Source Mobile, LLC and since February 2010 as a paralegal and office manager of Phillips Law Firm, Inc.³

I. Petitioner has been married for almost 17 years and is the father of three children ages 13, 11 and 8 of the marriage.

J. Petitioner's suspension has caused embarrassment to his family, his friends, the legal profession and himself. Since the time of Petitioner's convictions, four and one-half years ago, he has grown to realize that he has an obligation to hold himself, both personally and professionally, to the highest standards possible and to avoid taking shortcuts or the easy way out. The privilege to practice law is just that, a privilege not a right. In the worst way, Petitioner

³ Phillips Law Firm, Inc., and its individual attorneys, have complied with registration requirements of Gov. Bar R. V (8) (G) (3).

CERTIFICATE OF SERVICE

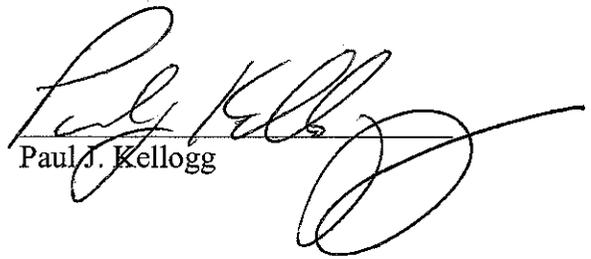
I hereby certify that a true and correct copy of the foregoing Petition for Reinstatement was served via regular U.S. Mail, postage pre-paid on the 20th day of July, 2012 upon the following:

Peter Rosenwald, Esq. (#0008197)
The Citadel Building
114 East Eighth Street
Cincinnati, OH 45202
(513) 621-2257

COUNSEL OF RECORD FOR RELATOR

Susan R. Bell, Esq. (#0069574)
537 Pete Rose Way
Suite 400
Cincinnati, OH 45202
(513) 852-8200

CO-COUNSEL FOR RELATOR



Paul J. Kellogg

IN UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI

UNITED STATES OF AMERICA)

)

vs)

Case No. 1:06CR00111-003

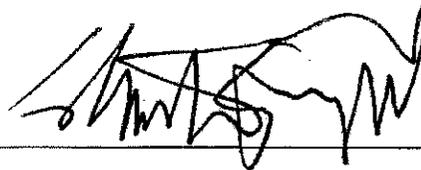
Paul Joseph Kellogg)

)

ORDER TERMINATING SUPERVISED RELEASE

The above named was placed on Supervised Release on November 27, 2009, for a period of three years. Based on the recommendation of the U.S. Probation Officer and for good cause shown it is hereby ordered that the defendant is discharged from Supervised Release and that the proceedings in the case be terminated.

Dated this 29th day of November, 2010



United States Senior District Judge



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CLE Requirements | Transcript | Instructions | Select Biennium: 2010

PAUL JOSEPH KELLOGG

ATTORNEY REGISTRATION NUMBER: 62303

ACTIVITY DATE	CODE	ACTIVITY TITLE	SUBST HOURS	ETHICS HOURS	PROF HOURS	GENERAL HOURS	JFAIR HOURS	NGEN HOURS	NLOM HOURS	NCEM HOURS	NPROF HOURS	TOTAL HOURS
12/21/09	207336	University of Dayton School of	0.00	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	3.00
CLE CREDIT SUBTOTAL												3.00
01/01/09	195594	Corporate Law: M & A Transactio	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
01/01/09	196212	Criminal Law for the Civil Liti	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
01/01/09	196216	Trust Planning	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
04/01/09	199841	DUI Law	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
SELF-STUDY CREDIT SUBTOTAL												4.00

FOR COMPLIANCE PERIOD: 01/01/08 THROUGH 12/31/09

	I	II	III	IV	V
	BEGINNING AMOUNTS	ADJUSTED CREDITS TAKEN THIS PERIOD	TOTAL HOURS TAKEN (SUM OF I AND II)	REQUIRED NUMBER OF HOURS	CARRY FORWARD OR DEFICIENCY AS OF 12/31/2009
SUBSTANCE:	0.00	0.00	0.00	0.00	0.00
ETHICS:	0.00	0.00	0.00	0.00	0.00
PROFESSIONALISM:	0.00	0.00	0.00	0.00	0.00
TOTAL HOURS:	1.75 *	7.00	8.75	0.00	0.00

* POSITIVE AMOUNTS IN COLUMN I INDICATES CARRY FORWARD INTO THE CURRENT BIENNIUM.

ACTIVE EXEMPTIONS\EXCEPTIONS DURING THIS PERIOD: START 12/14/2009 END TYPE Discipline

Your current continuing legal education transcript is displayed above. You can complete the following tasks from this page:

Add or Edit Course Hours - This record includes your CLE attendance reported as of today. To allow time for a sponsor to submit attendance reports, you will not be able to add credit(s) until 35 days following the date of the course. Also note that a negative amount in Column V does not necessarily mean you are out of compliance. It only means that you have not yet earned the hours necessary for full compliance for this biennium. You may edit hours that you have entered. You may not edit hours for course attendance received from the sponsor of a course. During the first phase of the project, you may not enter attendance credit for courses designated as in-house, publication, teaching and law school (attendance and teaching). We are hoping to add these features in the future. Corrections to your CLE record for these types of credit must be made in writing and should be directed to the Office of Attorney Services.

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View Previous Transcripts - You can also view your past biennial reporting periods by selecting the appropriate reporting period in the drop down menu. Records for past reporting periods are complete and official. Credit cannot be added to a closed biennium.

View New Lawyers Training Record - You can also view your New Lawyers Training transcript by



selecting the appropriate choice in the drop down menu.

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2012

PAUL JOSEPH KELLOGG

ATTORNEY REGISTRATION NUMBER: 62303

ACTIVITY DATE	CODE	ACTIVITY TITLE	SUBST HOURS	ETHICS HOURS	PROF HOURS	GENERAL HOURS	JFAIR HOURS	NGEN HOURS	NLOM HOURS	NCFM HOURS	NPROF HOURS	TOTAL HOURS
04/09/10	212307	Chapter 7 & 13 Bankruptcy for N	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
05/07/10	213740	Elements of ERISA	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
06/04/10	214512	What Judges Want You to Know	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
07/02/10	214876	New Paradigm for Multi Generati	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
08/06/10	215340	Magic of Roth IRA Rollovers	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
09/10/10	217821	Estate Planning Update	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
09/28/10	218716	Advanced Planning Seminar: Esta	0.00	0.00	0.00	9.25	0.00	0.00	0.00	0.00	0.00	9.25
10/08/10	219760	Financial Analysis of Divorce	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
11/05/10	221049	Road Map to Veteran Benefits	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
11/19/10	221184	Professionalism	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00
12/03/10	221185	Ethics: The Year in Review	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00
12/10/10	221468	How the Courts Can Help Your Pr	0.00	0.00	0.00	6.00	0.00	0.00	0.00	0.00	0.00	6.00
12/17/10	221186	Substance Abuse	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00
01/07/11	223483	Choice of Entity: Tax & Non Tax	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
02/04/11	225716	eDiscovery & Forensic Collectio	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
03/04/11	223631	IP Law 100	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
04/01/11	227616	Lawyer Depression & Anxiety: Wh	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
05/06/11	226822	Representing Sellers & Buyers i	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
06/03/11	228813	Civil Rights Litigation under 4	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
08/05/11	230684	Estate Planning for People with	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
09/09/11	232527	Estate Planning Update	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
10/07/11	233052	Criminal Law for the Civil Lawy	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
11/04/11	235491	Emerging Science in the Art of	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
11/18/11	235961	Professionalism	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00
12/02/11	235962	Ethics	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00
12/16/11	235963	Substance Abuse	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00
CLE CREDIT SUBTOTAL												39.25

FOR COMPLIANCE PERIOD: 01/01/10 THROUGH 12/31/11

	I	II	III	IV	V
	BEGINNING AMOUNTS	ADJUSTED CREDITS TAKEN THIS PERIOD	TOTAL HOURS TAKEN (SUM OF I AND II)	REQUIRED NUMBER OF HOURS	CARRY FORWARD OR DEFICIENCY AS OF 12/31/2011
SUBSTANCE:	0.00	2.00	2.00	0.00	0.00
ETHICS:	0.00	2.00	2.00	0.00	0.00
PROFESSIONALISM:	0.00	2.00	2.00	0.00	0.00
TOTAL HOURS:	0.00	39.25	39.25	0.00	0.00

REQUIREMENTS MAY HAVE BEEN PRORATED FOR THIS PERIOD. PLEASE REVIEW YOUR REQUIREMENTS IN COLUMN IV ABOVE.

ACTIVE EXEMPTIONS\EXCEPTIONS DURING THIS PERIOD:	START	END	TYPE
	09/01/2011		Inactive
	07/20/2010		Discipline
	12/14/2009		Discipline

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record for these types of credit must be made in writing and should be directed to the Office of Attorney Services.

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| Add / Edit Course Hours | CLE Requirements | Transcript | Instructions |
 Select Biennium: 2014

PAUL JOSEPH KELLOGG

ATTORNEY REGISTRATION NUMBER: 62303

ACTIVITY DATE	CODE	ACTIVITY TITLE	SUBST HOURS	ETHICS HOURS	PROF HOURS	GENERAL HOURS	JFAIR HOURS	NGEN HOURS	NLOM HOURS	NCFM HOURS	NPROF HOURS	TOTAL HOURS
01/06/12	236602	America Invents Act: A Brave Ne	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
02/03/12	239287	Estate Planning During Times of	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
03/02/12	239995	E Filing in Hamilton County	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
04/13/12	241745	Admiralty Law	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
05/04/12	243715	Collection of Attorney Fees	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
06/01/12	243191	Guardianships	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
07/13/12	244369	Pulled Over: Will It Be a DUI?	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
CLE CREDIT SUBTOTAL												7.00
04/01/12	240685	Professionalism: 19 Ways to Pra	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00
SELF-STUDY CREDIT SUBTOTAL												1.00

FOR COMPLIANCE PERIOD: 01/01/12 THROUGH 12/31/13

	I	II	III	IV	V
	BEGINNING AMOUNTS	ADJUSTED CREDITS TAKEN THIS PERIOD	TOTAL HOURS TAKEN (SUM OF I AND II)	REQUIRED NUMBER OF HOURS	CARRY FORWARD OR DEFICIENCY AS OF 07/16/2012
SUBSTANCE:	0.00	0.00	0.00	0.00	0.00
ETHICS:	0.00	0.00	0.00	0.00	0.00
PROFESSIONALISM:	0.00	1.00	1.00	0.00	0.00
TOTAL HOURS:	0.00	8.00	8.00	0.00	0.00

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ACTIVE EXEMPTIONS\EXCEPTIONS DURING THIS PERIOD:	START	END	TYPE
	09/01/2011		Inactive
	07/20/2010		Discipline
	12/14/2009		Discipline

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