

**BEFORE THE COMMISSION OF FIVE JUDGES
APPOINTED BY
THE SUPREME COURT OF OHIO**

FILED
NOV 09 2012
CLERK OF COURT
SUPREME COURT OF OHIO

In Re: Judicial Campaign Complaint)	Case No. 2012-1653
Against Colleen Mary O'Toole)	
)	Respondent's Motion to Stay the Sanctions
)	Imposed Against Her Pending Her Appeal
)	to the Supreme Court of Ohio

In a series of Orders entered on October 24, 2012, the Commission: (a) found that the Hearing Panel had not committed an abuse of discretion in finding that the Respondent had violated Ohio R. Jud. Cond. 4.3(A) as alleged in Counts I and II of the Complaint filed against her; (b) found that she had violated that Rule, as alleged in that Complaint; (c) overruled the objections she made to that decision based on the argument that Rule 4.3(A) violates the First Amendment; (d) adopted the sanctions recommended by the Hearing Panel; (e) found that the Respondent should also be publicly reprimanded; (f) ordered that she also be fined \$1,000.00; (g) ordered that she pay the attorney fees of the complainant, in the amount of \$2,500.00, and; (h) ordered that she pay costs in the amount of \$2,530.82. Respondent was ordered to make all the payments in question on or before November 15, 2012.

Respondent is filing, at the same time as this Motion, a Notice appealing the decision and orders entered against her on October 24, 2012 to the Supreme Court of Ohio.

Respondent now respectfully moves the Commission for an Order staying the imposition of sanctions against her, including both the imposition of a public reprimand and the payments, by her, of the fines, fees and costs outlined above, pending the resolution of her appeal to the Supreme Court of Ohio.

If the Respondent is compelled to pay these substantial fines and costs now, and is reprimanded, but is ultimately vindicated on appeal, she will have suffered a very real, and a

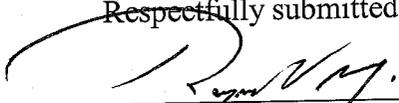
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comparatively immediate punishment in the meantime, including the payment of substantial sums.

If, on the other hand, she does not prevail, she will – in due time, and after the full measure of due process afforded her under the Rules for the Government of the Judiciary – pay the price.

Respondent respectfully requests that the public reprimand and the imposition of sanctions against her be stayed until the appeal vouchsafed to her in the Rules for the Government of the Judiciary has been allowed to run its course.

Respectfully submitted,



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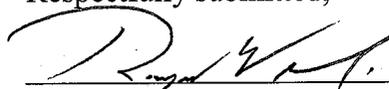
– Certificate of Service –

True and accurate copies of the foregoing *Respondent's Motion to Stay the Sanctions Imposed Against Her Pending Her Appeal to the Supreme Court of Ohio* were served today, November 8, 2012, upon each of the following via Federal Express next morning service:

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Respectfully submitted,



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