

ORIGINAL

IN THE SUPREME COURT OF OHIO

Disciplinary Counsel,

Relator,

vs.

Aaron Anthony Ridenbaugh,

Respondent.

) **Case No. 08-2493**
) **Disciplinary Action**

)
)
)
) **Board of Commissioners on Grievances and**
) **Discipline of the Supreme Court of Ohio**
) **Case No. 08-025**

**PETITIONER'S OBJECTION TO THE FINAL REPORT OF THE
BOARD OF COMMISSIONERS ON GRIEVANCES AND DISCIPLINE**

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I. Introduction

Petitioner Aaron Anthony Ridenbaugh (hereinafter "Petitioner") hereby submits his objections to the Final Report of the Board of Commissioners on Grievances and Discipline of the Ohio Supreme Court (hereinafter "Board") which rejected the unanimous recommendation of the Panel that Petitioner be reinstated to the practice of law. The Panel, after hearing the testimony of four witnesses, including Petitioner's treating psychiatrist and his case manager at the Ohio Lawyers' Assistance Program (hereinafter "OLAP"), found by clear and convincing evidence that Petitioner fully complied with this Court's Decision and Order suspending Petitioner indefinitely from the practice of law, has fulfilled the conditions for reinstatement set forth therein, and meets the requirements to be reinstated to the practice of law in Ohio. The majority of the Board, without explanation, voted to recommend that the Petition be denied. Petitioner respectfully requests that this Court grant his Petition.

II. Statement of the Case

On February 7, 2008, Petitioner's license to practice law was suspended pursuant to Gov. Bar R. V(5)(A)(4) due to his felony conviction. On October 6, 2008, a hearing was held to ascertain the appropriate penalty for Petitioner's disciplinary violations. Petitioner stipulated that he violated Rule 8.4(b), Rule 8.4(h), DR 1-102(A)(3) and DR 1-102(A)(6). On August 20, 2009, this Court indefinitely suspended Petitioner's license to practice law in the State of Ohio. (Appendix p. 1) In its August 20, 2009 Order, this Court set forth three conditions for reinstatement that Petitioner must show in addition to the requirements of Gov. Bar R. V(10)(C). These conditions were that Petitioner demonstrate that he had complied with the terms of his community court sanctions, that Petitioner demonstrate that he had completed his OLAP

contract, and that Petitioner continue his psychiatric treatment and demonstrate that he is able to return to the competent, ethical and professional practice of law. (Appendix pp. 1- 2) The Court stated:

“We order Petitioner's indefinite suspension from practice and rely on the reinstatement process to determine when Petitioner is capable of practicing within ethical constraints. On the other hand, we also see no reason to prevent Petitioner from attempting to qualify for reinstatement beyond the two-year bar imposed by Gov.Bar R. V(10)(B) and therefore also afford credit for the interim suspension of his license.”

Disciplinary Counsel v. Ridenbaugh, 122 Ohio St. 3d 583, 591 (2008).

On August 23, 2012, Petitioner filed his Petition for Reinstatement. On December 14, 2012, Petitioner and Disciplinary Counsel filed Agreed Stipulations. Several facts were stipulated, including: that Petitioner completed his contract with OLAP on or about June 12, 2012; that Petitioner complied with the terms of his community control sanctions; that Petitioner complied with the continuing legal education requirements of Gov. Bar R. X(3)(G); and that Petitioner paid the costs associated with his disciplinary proceeding owed to the Ohio Supreme Court. (Appendix p. 2) A hearing on the Petition was held on January 4, 2013. Four witnesses testified in person before the panel, in addition to the evidence introduced by the Stipulation. After hearing the witnesses, including the testimony of the Petitioner, the Panel asked Disciplinary Counsel: “Are you satisfied with Dr. Levine's testimony today and the fact that it fills in the gaps that were missing earlier?” (Hearing p. 99) Disciplinary Counsel responded:

“In the original hearing, Dr. Levine was crucial to the panel and everyone's understanding of the Petitioner's behavior and what was occurring. And also because the Petitioner had only been in therapy for a couple of years at that period of time, there was a lot that was unknown about the progression of his behavior; and today Dr. Levine was able to certainly give a much broader and fuller opinion of that progression over the past five years.”

Hearing, p. 99- 100) Disciplinary Counsel took no position regarding the Petition for Reinstatement. (Hearing, p. 100)

After considering the testimony and evidence presented, the Panel issued a unanimous recommendation to the Board that Petitioner's Petition be granted. The Panel was impressed with the testimony of Dr. Levine and quoted it extensively in its decision. The Panel concluded:

“As a consequence of his training, education, experience, and his five years of treatment of Petitioner, it is Dr. Levine's opinion, to a reasonable degree of certainty that Petitioner ‘could be ethical, moral, cognitively intact, excellent attorney in his field.’

Further, Petitioner has a sustained period of successful treatment.

Based upon the foregoing, the panel determines, by clear and convincing evidence, that:

The Petitioner possesses all of the mental, educational and moral qualifications that were required of an applicant for admission to the practice of law in Ohio at the time of his original admission;
The Petitioner has complied with the continuing legal education requirements of Rule X(3)(G) of the Rules for the Government of the Bar;
and
The Petitioner is now a proper person to be readmitted to the practice of law in Ohio, notwithstanding the previous disciplinary action”

(Appendix pp. 20- 21) (internal citations omitted).

The Panel unanimously recommended to the Board that the Petition be granted. The Board rejected the Panel's recommendation, simply stating: “A majority of the Board concluded that Petitioner is not a proper person to be readmitted to the practice of law in Ohio and recommends that the petition for reinstatement be denied.” (Appendix p. 21) Petitioner received notice of the final report on April 29, 2013 and was given 10 days to file his objections.

III. Facts

On November 21, 2007, Petitioner pled guilty to several felony charges, including

voyeurism and pandering sexually oriented material involving a minor. (Appendix p. 24) He was sentenced to 48 months in prison and was granted an early judicial release on January 17, 2008. (Appendix p. 24)

Upon his release, Petitioner was placed on community control. The terms of his release required the following: 300 hours of community service, drug and alcohol counseling, group therapy for sexual deviance, regular visits to his probations officer, and random drug screening. (Hearing, p. 65) Petitioner successfully completed these requirements and was granted an early release from his community control on August 16, 2010. (Appendix p. 9)

In addition to the requirements of his community control, Petitioner had obligations under his contract with OLAP. Petitioner was to attend two 12 step meetings a week, continue his therapy with Dr. Levine, submit monthly 12 step meeting logs, and call OLAP regularly to report on his progress. Petitioner complied with these conditions and successfully completed his contract with OLAP on June 2, 2012. (Appendix p. 8)

Petitioner was required to continue his Psychiatric treatment for the mental conditions which were a significant factor in his criminal conduct. Petitioner continued his Psychiatric treatment with Dr. Levine, who was recognized by this Court at the time of Petitioner's suspension as an "expert in clinical sexuality, including paraphilia, a condition generated by 'the clash between individual sexual interest and social rules governing sexual behavior.'" *Ridenbaugh*, 122 Ohio St. 3d at 588. Dr. Levine testified that he has been treating Petitioner regularly since June of 2007. He testified that Petitioner fully complies and participates in his treatment and has made a pronounced and dramatic recovery from the mental conditions, which led to his arrest and indefinite suspension.

Dr. Levine testified that, with the exception of Attention Deficit Disorder, which is being

successfully treated with medication, he does not believe that Petitioner currently has a diagnosis. (Hearing, p. 40) Dr. Levine stated his opinion that Petitioner will be able to be an ethical, moral attorney. (Id.)

A close friend of Petitioner, John Juergensen, gave testimony as to Petitioner's good character. He testified that Petitioner has been steadfast in his recovery from drugs and alcohol. He has been with Petitioner on multiple social occasions when others are drinking and Aaron has declined. He testified that Petitioner has made positive changes in his life since his arrest.

Finally, Petitioner testified regarding his ongoing treatment and the changes in his life since his previous hearing in this case. Petitioner testified about his commitment to his 12 step program, where he actively participates and has a leadership position within that organization. He testified that he intends to remain a member of the 12 step program for the remainder of his life. He also testified about how he now deals with stressful situations— by reaching out to members of his support network, and how that differed from how he would react prior to his arrest.

In addition to the personal testimony, the stipulations included statements from other witnesses. Matthew T. Green, an Assistant Attorney General for the State of Ohio, wrote that he has known Petitioner for a period of 10 years and has personally observed the changes which Petitioner has made in his life. He wrote:

“I am aware of the many pressures faced by and responsibilities placed upon a licensed, practicing attorney. Aaron is more than capable of dealing with these pressures and responsibilities in an ethical and competent manner. I strongly support his application to be reinstated as a full member of the bar.”

(Appendix p. 11).

Attorney Michael J. Moran, who has employed Petitioner over a seven year period,

wrote:

“Over the past five years, I have witnessed Aaron’s growth, both as a person and an employee. He is conscientious about his work and dedicated to his recovery from past substance abuse and mental illness.

If reinstated to the bar, I strongly believe that Aaron will be a competent and ethical attorney.”

(Appendix p. 14).

In addition, Petitioner’s Narcotic’s Anonymous sponsor courageously waived his anonymity to write to describe Petitioner’s commitment to the program. He describes Petitioner as being “very caring to others and very attentive in his program.” He stated that Petitioner was recently elected by the fellowship of Narcotic’s Anonymous to the position of Vice Chairman for Area. (Appendix p. 16)

IV. Argument

Proposition of Law I: The Supreme Court should follow the unanimous recommendation of the panel, which is well supported by the evidence in the record and, based upon the Panel’s factual findings, should grant the Petition for Reinstatement.

In the decision to suspend the Petitioner, this Court expressly stated that Petitioner would be eligible for reinstatement and set forth the conditions and criteria under which such reinstatement would be appropriate. Petitioner has made a dramatic turnaround in his life and demonstrated to the panel by clear and convincing evidence that he had met all of the criteria and preconditions for reinstatement and that he was capable of returning to the competent, ethical, and professional practice of law. In fact, Petitioner testified that he envisioned that he would be able to share his experiences and help other attorneys through volunteer work through the bar association. (Hearing, pp. 77- 78) The evidence fully supported Petitioner’s Petition and the findings of the Panel.

A. Dr. Levine's testimony demonstrate by clear and convincing evidence that the mental conditions which contributed to Petitioner's misconduct have been alleviated.

On August 20, 2009, this Court entered its Decision suspending Petitioner's license to practice law indefinitely, giving credit for the time served under his interim suspension. The majority of this Court's decision properly focused on the testimony of Dr. Levine, who this Court recognized to be an expert in clinical sexuality. *Ridenbaugh*, 122 Ohio St. 3d at 589. This Court, in examining Dr. Levine's testimony, found that it failed to demonstrate that Petitioner was currently capable of returning to the ethical and competent practice of law: *Id.* This Court concluded that there was "too much equivocation" in Dr. Levine's testimony. *Id.*

This Court sought stronger evidence of Petitioner's recovery from his mental conditions:

"We have never allowed a lawyer who has committed misconduct because of a mental disability to continue to practice without the assurance of a qualified health-care professional, in conformity with BCGD Proc.Reg. 10(B)(2)(g)(iv), that the lawyer is able to practice safely. Evidence suggesting that the lawyer may be able to practice competently and in accordance with ethical and professional standards is not nearly enough. Our cases show that a lawyer whose diagnosed mental disability has contributed to his misconduct must provide competent proof that the disabling symptoms are fully managed currently."

Id., citing *Disciplinary Counsel v. Bowman*, 110 Ohio St.3d 480, 2006-Ohio-4333, 854 N.E.2d 480, ¶ 38; *Disciplinary Counsel v. Shaw*, 110 Ohio St.3d 122, 2006-Ohio-3821, 851 N.E.2d 487, ¶ 33; and *Columbus Bar Assn. v. McCorkle*, 105 Ohio St.3d 430, 2005-Ohio-2588, 828 N.E.2d 99, ¶ 11. Furthermore, this Court was not convinced that Petitioner was getting the psychiatric oversight that he required due to his financial situation. This Court concluded that the reinstatement process would determine whether Petitioner was able to return to the ethical practice of law. *Ridenbaugh*, 122 Ohio St. 3d at 591.

Dr. Levine's testimony at the reinstatement hearing was unequivocal. He strongly

believes that Petitioner's mental condition is no longer present and that he can currently return to the ethical, competent practice of law. When asked to explain Petitioner's current diagnosis, Dr.

Levine testified:

"Oh, well, I don't call him depressed anymore. He has ADD. I don't think he has the character disorder that he had before. And he's not -- you know, according to the mentality of the thinking of AA, he has -- he will always be an addict; that is, he takes responsibility that he's this far from falling off the wagon and he has to be vigilant all the time. So his NA group would say and Aaron would say that he is an addictive personality and he has to monitor that closely. That is not exactly the psychiatric diagnosis. It's more a 12-step diagnosis, and I'm perfectly happy with that. I don't think Aaron has a diagnosis.

...

So he doesn't really have a psychiatric diagnosis. He just has a psychiatric history, and that's a wonderful thing for a psychiatrist to be able to record."

(Hearing, p. 38- 39)

Dr. Levine specifically addressed the original diagnosis of paraphilia:

"The paraphilia or the voyeurism -- "paraphilia" is a term that psychiatrists use for a range of unusual behaviors, sexual behaviors; and that's just one of them, voyeurism. I think his voyeurism was a product of the sense of being left out of the world, left out of life processes. And the closest he could get to living a life would be participating surreptitiously in the lives of other people like you would participate if you're looking at pornography or as in the crime that he committed in terms of eavesdropping electronically on other couples.

But as he has grown in the past five years and as he has been punished severely for his criminal activity, he has naturally developed an aversion for anything that -- involving pornography or voyeurism or anything what we would call socially obnoxious or criminal. In questioning Aaron repeatedly over many, many years, I wasn't just interested in the absence of the behavior, but the absence of fantasy about the behavior; and he doesn't really seem to be preoccupied in any sense with those activities, and I would say that he is no longer paraphilic. He's no longer voyeuristic. He no longer has an interest in pornography. And I think he's now participating in life, in sexual life and he has discovered what ideally we would love all of our patients to discover; that the actual participation with a real live human being is far better than the imagination with pixels or pictures of human beings. And many people with paraphilias, voyeurism and others, even when they have access to a real person as a partner, prefer pictures; and that's not

true for Mr. Ridenbaugh. And so I think that's very reassuring.”

(Hearing, pp. 31-33)

When asked whether Petitioner would be fit to return to the practice of law, Dr. Levine responded:

“Yes. I feel very certain that Aaron could be ethical, moral, cognitively intact, excellent attorney in his field. I feel like what I see and the years I've seen it and watching the evolution, I haven't really been worried about his legal competence. I mean, I don't -- I never heard of any moral misstep within the practice of law. His moral missteps were in his private life.

But he seems to really enjoy learning and using his legal thinking, and I -- based on what he says, it seems like he lives -- he is the recipient of a lot of respect in his law firm. They kept him on after he lost his license in a lesser position. They keep him busy, and I do believe that they -- if I could say this indirectly, they don't see any problems with that at least that Aaron perceives. And so I think Aaron is on the parameters that I can measure, he is competent and/or the public is safe in having him practice law.

I think intellectually he has a grasp of his field, and morally and ethically he's quite clear about what his responsibilities are, what boundaries are. And so I feel very, very positive about his returning to the practice of law if the panel agrees.”

(Hearing, p. 39- 40) Commissioner Bauer asked whether there were limitations on Petitioner's ability to return to the competent, ethical practice of law:

COMMISSIONER BAUER: Okay. All right. You had a prognosis that the Petitioner will be able to return to competent, ethical, professional practice under any conditions. And if so -- if conditions are necessary, what would they be?

THE WITNESS: I'm -- you know, based on my medical judgment, I think he's capable of dealing with the ups and downs, the vagaries, the vicissitudes of legal practice regardless of what is happening in his personal life.

All of us know that we're human beings and when our personal lives collapse, we can't concentrate and we have to sometimes take a day off or a mental health day or a mental health week; but he's capable of making decisions like that.

I just think that, given how I see other human beings function, I feel medically certain that he's -- he's competent to practice from a psychiatric point of view.

Furthermore, when asked whether he had a final comment to add, Dr. Levine stated:

Well, many of my colleagues feel very, you know, pessimistic in dealing with the run of people who come into our practice with paraphilia; and I – I use Aaron in my own head as -- to remind me that human beings can get better. Not all human beings get better, but some human beings get better. And so a person like Aaron has helped me to sustain me in my optimism and my devotion to getting at the bottom of what is behind socially abhorrent behaviors and seeing if we can address those effectively. So Aaron has been more of a help to me than he would ever know in that he keeps me -- he helps me with other patients because other patients have problems that sometimes are even worse than Aaron's and yet we continue and I continue to try to charge my colleagues with optimism, and part of that optimism comes from watching the evolution of this young man.

(Hearing, p. 40- 41). Finally, Dr. Levine stated that he would recommend that Petitioner continue to see him on a monthly basis and that Petitioner has, in fact, been seeing him monthly.

(Hearing, p. 48)

Dr. Levine's testimony demonstrates by clear and convincing evidence that Petitioner's mental conditions which contributed to his misconduct are no longer present. Dr. Levine's strong, clear belief that Petitioner has the ability to return to the ethical, moral practice of law supports the Panel's recommendation that his Petition for Reinstatement be granted.

B. The evidence presented at the reinstatement hearing demonstrates that Petitioner has been, and will continue to be, actively engaged in his recovery from the issues that contributed to his misconduct.

The testimony of Petitioner's witnesses at the reinstatement hearing evidence his continuing commitment to bettering himself and leading a moral, ethical life going forward.

Megan Snyder was asked whether Petitioner was cooperative in the programs recommended for Petitioner as part of his five year contract with OLAP. She responded:

"Yeah. Aaron, you know, from the day that we met him, was very willing to engage in the treatment recommendations that were set forth. You know, OLAP makes the recommendations; and then what we do is defer to the treating professionals that he's working with in the community because OLAP actually doesn't provide the treatment. We just provide the monitoring and support.

During the process, Aaron was actively engaged with his doctors and his 12-step recovery program; and then as a result of his arrest and coming out, he had to engage in other types of treatments, so we also received updates on those things. And the entire time Aaron was very engaged and was making continued progress in those treatment programs per the reports that we were getting back.”

(Hearing, p. 15) In summarizing Petitioner’s situation at the conclusion of his OLAP contract,

Mrs. Snyder stated:

“Some of the things that Aaron agreed to do at the beginning he's still doing today, which he will continue to do, he has stated, as well as Dr. Levine has stated, who is his treating psychiatrist; but Aaron successfully completed. His inpatient treatment he successfully completed. He did some counseling at Summit Psychological Counseling, he completed that. He's ongoing treating with his psychiatrist; and he's also ongoing working in 12-step recovery, which will be something that is a lifelong endeavor. So he was very compliant with all of those things.”

(Hearing, p. 16)

Attorney Juergensen also testified as to Petitioner’s commitment to his recovery.

“I know he's been committed to his treatment. I know we've talked about it quite a bit. We talk about, you know, ins and outs and everything; and I know how he feels about it. I know he's committed to it. I know he has stuck with it, and I know he will in the future as well. “

(Hearing p. 60) Dr. Levine is also of the opinion that Petitioner will continue to improve himself.

“Aaron has the maturity to recognize that his participation in 12-step and his participation in psychotherapy is something that's good for him and that he wants to do that.

...

So I really think that he has made such progress and the public is safe having him practice law; that he doesn't need to be monitored closely. I think he's his own -- he's an excellent self-monitor at this point in his life, yeah.”

(Hearing, p. 42)

The evidence adduced at the reinstatement hearing demonstrates that Petitioner is

committed to maintaining his ethical, moral lifestyle. This evidence supports the Panel's recommendation that Petitioners Petition for Reinstatement be granted.

C. Petitioner has met the requirements of Gov. Bar R. V, Section 10, as well as the additional requirements set forth in this Court's decision.

Gov. Bar. Rule V, Section 10 requires proof by clear and convincing evidence of the following in order for reinstatement to be granted:

- (a) That the petitioner has made appropriate restitution to the persons who were harmed by his or her misconduct;
- (b) That the petitioner possesses all of the mental, educational, and moral qualifications that were required of an applicant for admission to the practice of law in Ohio at the time of his or her original admission;
- (c) That the petitioner has complied with the continuing legal education requirements of Gov. Bar R. X, Section 3(G);
- (d) That the petitioner has completed a term of probation, community control, intervention in lieu of conviction, or any sanction imposed as part of a sentence for a felony conviction;
- (e) That the petitioner is now a proper person to be readmitted to the practice of law in Ohio, notwithstanding the previous disciplinary action.

Gov. Bar. Rule V(10)(E)(1). These elements must be proven to the panel in order for reinstatement to be granted. *Office of Disciplinary Counsel v. Woods*, 50 Ohio St. 3d 72, 74 (1990).

This Court set three additional requirements for Petitioner's reinstatement: "(1) his compliance with the terms of his ordered community control, (2) his compliance with his OLAP contract, and (3) his continued psychiatric treatment and his ability to return to the competent, ethical, and professional practice of law." *Ridenbaugh*, 122 Ohio St. 3d at 591.

The testimony of the witnesses, as set forth above, demonstrate that subsections (b) and (e) of Gov. Bar. Rule V, Section 10, as well as this Court's third additional requirement, have

been proven by clear and convincing evidence. As for the requirement of appropriate restitution, the evidence indicates that Petitioner's misconduct resulted in \$50.00 in damages to the apartment in which he was living at the time. (Hearing, p. 72) Petitioner forfeited his security deposits in the amount of \$250, which covers the cost of the damage. (Hearing, p. 71)

Additionally, the Agreed Stipulations indicate that he is current in his CLE requirements of Gov. Bar R, Section 3(G). (Appendix pp. 2, 10) The Agreed Stipulations further demonstrate that Petitioner has paid the costs associated with his initial disciplinary hearing and has complied with the conditions of his court-ordered community control. (Appendix pp. 2, 9) Finally, Petitioner successfully completed his contract with OLAP as evidenced by the testimony of Megan Snyder and the Agreed Stipulations. (Appendix pp. 2, 8)

Finally, Petitioner has kept himself abreast of changes in the law. *See generally In re Petition for Reinstatement of Atkins*, 2 Ohio St. 3d 32 (1982). Apart from the two months when he was incarcerated, Petitioner has worked as a paralegal in a law office. His work primarily consists of research and writing under the supervision of licensed attorneys. Although the bulk of his work is in bankruptcy matters, a variety of state law issues present themselves in the bankruptcy context. (Hearing, p. 70- 71) Furthermore, Petitioner has been attending CLEs which have covered areas such as probate, real estate law, appellate advocacy, and bankruptcy. (Appendix p. 10)

D. The Board's majority recommendation does not challenge any of the factual findings or conclusions of the Panel and does not provide any basis for the recommendation of the majority of its members.

The Board did not set forth any conditions which Petitioner failed to meet, or any basis for denying his petition. The only thing that can be taken from the Board's recommendation was that the original conduct was so severe that the Petitioner, regardless of his reformation and

rehabilitation, should never be permitted to be reinstated to the practice of law. This is directly contrary to the position of this Court at the time of his suspension. In following the dictates of the suspension order, the Petitioner has done everything well. He has actively and successfully completed treatment programs and has completely turned his life around. He is now a willing resource and good example, which the bar can use in assisting other attorneys who have mental or addiction problems. He would be a credit to the bar going forward and a good and competent attorney.

V. Conclusion

Petitioner has proven by clear and convincing evidence that he meets all of the requirements to be reinstated to the practice of law in the State of Ohio and that he is capable of returning to the competent, ethical, and professional practice of law. Therefore, Petitioner requests that this Court follow the unanimous recommendation of the Panel and grant Petitioner's Petition for Reinstatement.

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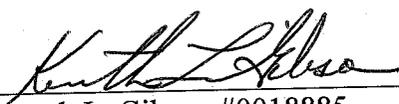
CERTIFICATE OF SERVICE

A copy of the foregoing Petitioner's Objection to the Final Report of the Board of Commissioners on Grievances and Discipline has been mailed by ordinary U.S. mail this 7th day of May, 2013 to the following:

Jonathan E. Coughlan
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APPENDIX

APPENDIX

**BEFORE THE BOARD OF COMMISSIONERS
ON GRIEVANCES AND DISCIPLINE
OF THE SUPREME COURT OF OHIO**

Aaron Anthony Ridenbaugh
10928 Buehler Road, N.E.
Bolivar, OH 44612

Board No. 08-025

FILED

Atty. Reg. No.: 0076823

DEC 14 2012

Respondent,

BOARD OF COMMISSIONERS
ON GRIEVANCES & DISCIPLINE

DISCIPLINARY COUNSEL
250 Civic Center Drive, Suite 325
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AGREED STIPULATIONS

Relator.

AGREED STIPULATIONS

Relator, Disciplinary Counsel, and respondent, Aaron Anthony Ridenbaugh, do hereby stipulate to the admission of the following facts and exhibits.

STIPULATED FACTS

1. Respondent, Aaron Anthony Ridenbaugh, was admitted to the practice of law in the State of Ohio on November 10, 2003. Respondent is subject to the Code of Professional Responsibility and the Rules for the Government of the Bar of Ohio.
2. Respondent's license to practice law was indefinitely suspended on August 20, 2009, by Order of the Supreme Court of Ohio, case no. 2008-2493.
3. The Order added three conditions that respondent must show in addition to those cited in Gov. Bar R. V(10)(C) to be reinstated to the practice of law. Respondent must show that he has complied with the terms of his court ordered community control, completed his Ohio

Lawyer's Assistance Program (OLAP) contract and continued his psychiatric treatment and is able to return to the competent, ethical and professional practice of law.

4. Respondent filed his petition for reinstatement to the practice of law on or about August 23, 2012.
5. Respondent completed his contract with OLAP on or about June 12, 2012.
6. Respondent complied with the terms of his community control sanctions imposed by the Stark County Court of Common Pleas and was released by the court on or about August 16, 2010.
7. Respondent has complied with the continuing legal education requirements of Gov. Bar R. X(3)(G).
8. Respondent paid the costs owed to the Supreme Court.

STIPULATED EXHIBITS

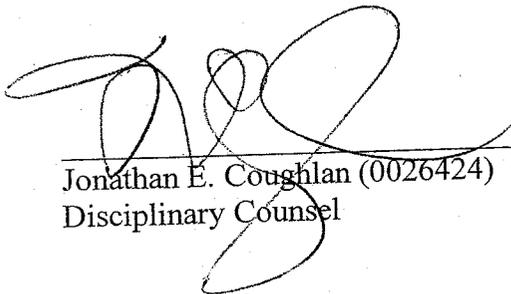
1. Order, *Disciplinary Counsel v. Aaron Anthony Ridenbaugh*, Supreme Court of Ohio, case no. 2008-2493, dated August 20, 2009
2. Letter from Scott Mote, Director, OLAP, dated October 2, 2012
3. Report and Order Terminating Supervision Prior to Original Expiration Date, *State of Ohio v. Aaron Anthony Ridenbaugh*, Stark County Court of Common Pleas, case no. 2007-CR-1748
4. CLE transcript
5. Character letters:
 - a. Matthew T. Green, Esq.
 - b. John L. Juergensen, Esq.
 - c. Michael J. Moran, Esq.

- d. Travis Ridenbaugh
- e. Mark Lattimer

CONCLUSION

The above are stipulated to and entered into by agreement by the undersigned parties on this

14th day of December, 2012.



Jonathan E. Coughlan (0026424)
Disciplinary Counsel

Kenneth L. Gibson (001885)
Counsel for Respondent
234 Portage Trail
Cuyahoga Falls, OH 44221
Telephone: 330.929.0507
Facsimile: 330.929.6605
Gibsonecf@yahoo.com



Heather Hissom Coglianese (0068151)
Assistant Disciplinary Counsel
Counsel for Relator
250 Civic Center Drive, Suite 325
Columbus, OH 43215
Telephone: 614.461.0256
Facsimile: 614.461.7205
H.Coglianese@sc.ohio.gov

Aaron Anthony Ridenbaugh (0076823)
Respondent
10928 Buehler Road, N.E.
Bolivar, OH 44612

d. Travis Ridenbaugh

e. Mark Lattimer

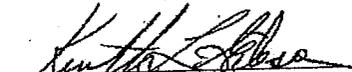
CONCLUSION

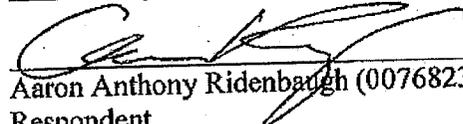
The above are stipulated to and entered into by agreement by the undersigned parties on this

_____ day of _____, 201_____.

Jonathan E. Coughlan (0026424)
Disciplinary Counsel

Heather Hissom Coglianesse (0068151)
Assistant Disciplinary Counsel
Counsel for Relator
250 Civic Center Drive, Suite 325
Columbus, OH 43215
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Aaron Anthony Ridenbaugh (0076823)
Respondent
10928 Buehler Road, N.E.
Bolivar, OH 44612

The Supreme Court of Ohio

AUG 20 2009

CLERK OF COURT
SUPREME COURT OF OHIO

Case No. 2008-2493

Disciplinary Counsel,
Relator,
v.
Aaron Anthony Ridenbaugh,
Respondent.

ON CERTIFIED REPORT BY THE
BOARD OF COMMISSIONERS ON
GRIEVANCES AND DISCIPLINE OF
THE SUPREME COURT

ORDER

On February 7, 2008, in *In re: Aaron Ridenbaugh*, Case No. 2008-0039, respondent, Aaron Anthony Ridenbaugh, was suspended on an interim basis pursuant to Gov.Bar R. V(5). Pursuant to this court's order, the respondent was required to file with the clerk of this court an affidavit showing compliance with the order, showing proof of service of all notices required by the order, and setting forth the address where the respondent would receive communications. Respondent filed an affidavit of compliance.

The Board of Commissioners on Grievances and Discipline filed its final report in this court on December 30, 2008, recommending that pursuant to Rule V(6)(B)(2) of the Supreme Court Rules for the Government of the Bar of Ohio the respondent, Aaron Anthony Ridenbaugh, be suspended indefinitely from the practice of law with no credit for time served. Respondent filed objections to said final report, relator filed an answer, and this cause was considered by the court. On consideration thereof,

It is ordered and adjudged by this court that Case No. 2008-0039 is dismissed and, that consistent with the opinion rendered herein and pursuant to Gov.Bar R. V(6)(B)(2), respondent, Aaron Anthony Ridenbaugh, Attorney Registration Number 0076823, last known business address in Cuyahoga Falls, Ohio, be indefinitely suspended from the practice of law with credit for time served from February 7, 2008, in Case No. 2008-0039. It is further ordered that in addition to the requirements of Gov.Bar R.V(10), respondent must, upon petitioning for reinstatement, show proof of (1) his compliance with the terms of his ordered community control, (2) his compliance with his Ohio Lawyers Assistance Program contract, and (3) his continued psychiatric treatment and his ability to return to the competent, ethical and professional practice of law.

It is further ordered that the respondent immediately cease and desist from the practice of law in any form and is hereby forbidden to appear on behalf of another before any court, judge, commission, board, administrative agency or other public authority.

It is further ordered that respondent is hereby forbidden to counsel or advise or prepare legal instruments for others or in any manner perform such services.

It is further ordered that the respondent is hereby divested of each, any, and all of the rights, privileges and prerogatives customarily accorded to a member in good standing of the legal profession of Ohio.

STIPULATED
EXHIBIT

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It is further ordered that before entering into an employment, contractual, or consulting relationship with any attorney or law firm, the respondent shall verify that the attorney or law firm has complied with the registration requirements of Gov.Bar R. V(8)(G)(3). If employed pursuant to Gov.Bar R. V(8)(G), respondent shall refrain from direct client contact except as provided in Gov.Bar R. V(8)(G)(1), and from receiving, disbursing, or otherwise handling any client trust funds or property.

It is further ordered that respondent be taxed the costs of these proceedings in the amount of \$3,435.55, which costs shall be payable to this court by certified check or money order on or before 90 days from the date of this order. It is further ordered that if these costs are not paid in full on or before 90 days from the date of this order, interest at the rate of 10% per annum shall accrue as of 90 days from the date of this order and the matter may be referred to the Attorney General for collection. It is further ordered that respondent may not petition for reinstatement until such time as respondent pays costs in full, including any accrued interest.

It is further ordered that, pursuant to Gov.Bar R. X(3)(G), respondent shall complete one credit hour of continuing legal education for each month, or portion of a month, of the suspension. As part of the total credit hours of continuing legal education required by Gov.Bar R. X(3)(G), respondent shall complete one credit hour of instruction related to professional conduct required by Gov.Bar R. X(3)(A)(1), for each six months, or portion of six months, of the suspension.

It is further ordered, sua sponte, by the court, that within 90 days of the date of this order, respondent shall reimburse any amounts that have been awarded against the respondent by the Clients' Security Fund pursuant to Gov.Bar R. VIII(7)(F). It is further ordered, sua sponte, by the court that if, after the date of this order, the Clients' Security Fund awards any amount against the respondent pursuant to Gov.Bar R. VIII(7)(F), the respondent shall reimburse that amount to the Clients' Security Fund within 90 days of the notice of such award.

It is further ordered that respondent shall not be reinstated to the practice of law in Ohio until (1) respondent complies with the requirements for reinstatement set forth in the Supreme Court Rules for the Government of the Bar of Ohio; (2) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio; (3) respondent complies with this and all other orders of the court; and (4) this court orders respondent reinstated.

It is further ordered that on or before 30 days from the date of this order, respondent shall:

1. Notify all clients being represented in pending matters and any co-counsel of respondent's suspension and consequent disqualification to act as an attorney after the effective date of this order and, in the absence of co-counsel, also notify the clients to seek legal service elsewhere, calling attention to any urgency in seeking the substitution of another attorney in respondent's place;

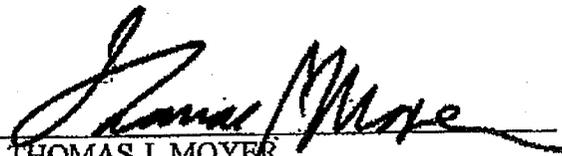
2. Regardless of any fees or expenses due respondent, deliver to all clients being represented in pending matters any papers or other property pertaining to the client, or notify the clients or co-counsel, if any, of a suitable time and place where the papers or other property may be obtained, calling attention to any urgency for obtaining such papers or other property;
3. Refund any part of any fees or expenses paid in advance that are unearned or not paid, and account for any trust money or property in the possession or control of respondent;
4. Notify opposing counsel in pending litigation or, in the absence of counsel, the adverse parties, of respondent's disqualification to act as an attorney after the effective date of this order, and file a notice of disqualification of respondent with the court or agency before which the litigation is pending for inclusion in the respective file or files;
5. Send all notices required by this order by certified mail with a return address where communications may thereafter be directed to respondent;
6. File with the clerk of this court and the Disciplinary Council of the Supreme Court an affidavit showing compliance with this order, showing proof of service of notices required herein, and setting forth the address where the respondent may receive communications; and.
7. Retain and maintain a record of the various steps taken by respondent pursuant to this order.

It is further ordered that until such time as respondent fully complies with this order, respondent shall keep the Clerk and the Disciplinary Council advised of any change of address where respondent may receive communications.

It is further ordered, sua sponte, that all documents filed with this court in this case shall meet the filing requirements set forth in the Rules of Practice of the Supreme Court of Ohio, including requirements as to form, number, and timeliness of filings.

It is further ordered, sua sponte, that service shall be deemed made on respondent by sending this order, and all other orders in this case, by certified mail to the most recent address respondent has given to the Office of Attorney Services.

It is further ordered that the clerk of this court issue certified copies of this order as provided for in Gov.Bar R. V(8)(D)(1), that publication be made as provided for in Gov.Bar R. V(8)(D)(2), and that respondent bear the costs of publication.


THOMAS J. MOYER
Chief Justice

Ohio Lawyers Assistance Program, Inc.

1650 Lake Shore Drive, Suite 375, Columbus, Ohio 43204-4991
Tel: 800-348-4343 614-566-0621 Fax: 614-566-0633
www.ohlolap.org

SCOTT R. MOTE, ESQ.
EXECUTIVE DIRECTOR

STEPHANIE S. KRZMARICH, MSW, LISW-S, LODC-III
CLINICAL DIRECTOR

MEGAN R. SNYDER, MSW, LISW
CLINICAL ASSOCIATE

Cincinnati Office:
PATRICK J. GARRY, J.D.
ASSOCIATE DIRECTOR
513-823-9853

Cleveland Office:
PAUL A. CAMI, J.D., LCDC-III, ICADC
ASSOCIATE DIRECTOR
800-618-8608

October 2, 2012

Kenneth L. Gibson, Esq.
Gibson & Lowery LLC
234 Portage Trail
Cuyahoga Falls, Ohio 44221

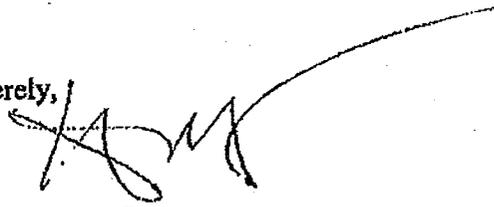
Re: Aaron A. Ridenbaugh

Dear Mr. Gibson:

I write at your request to confirm that Ridenbaugh successfully completed his OLAP Mental Health Recovery Contract (June 3, 2007—June 2, 2012). He was compliant in all respects, except that he has paid only \$600 towards his administrative fees, leaving a balance due of \$6,600. He has been making payments, and I expect he will continue to do so.

Please advise should you have any questions.

Sincerely,


Scott R. Mote, Esq.
Executive Director

SRM/s

STIPULATED
EXHIBIT

2

Report and Order Terminating Supervision
Prior to Original Expiration Date

JANICE S. REINHOLD
CLERK OF COURTS
STARK COUNTY, OHIO

2010 AUG 16 PM 4:18

In the Court of Common Pleas
Stark County, Ohio

STATE OF OHIO

No. 2007CR174B

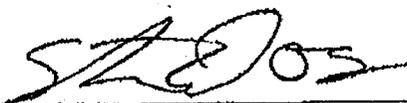
vs.

Judge John G. Haas

AARON ANTHONY RIDENBAUGH

On January 16, 2008, the above named was placed on judicial release for a period of 5 years. He has complied with the rules and regulations of judicial release and is no longer in need of supervision. It is accordingly recommended that he be discharged from judicial release.

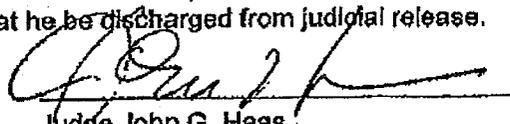
Respectfully submitted,



Steven Doss, Senior Probation Officer
Canton III, #A0106

ORDER OF COURT

Considered and ordered this 16 day of Aug 2010, that the judicial release order entered on the 16th day of January 2008 pertaining to the above named offender be terminated and that he be discharged from judicial release.



Judge John G. Haas
Stark County Court of Common Pleas

DRC 3072

APA-340: 5-15-88

STIPULATED
EXHIBIT

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The Supreme Court of Ohio

COMMISSION ON CONTINUING LEGAL EDUCATION
 65 SOUTH FRONT STREET, 5th FLOOR, COLUMBUS, OHIO 43215-3431 (614) 387-9325

Activities from January 01, 2009 through November 28, 2012

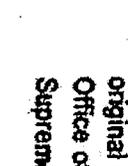
Aaron Anthony Ridenbaugh

Attorney Registration Number: 0076823
 Date of Admission: 11/10/2003
 Current Registration Status: Inactive

STIPULATED EXHIBIT

Activity Date	Activity Code	Activity Title	Location	Credit Type	Hours											
					Gen	Eth	S.A.	Prof	JFair	NGen	NProf	NOff	NFund	Total		
7/23/2010	216166	Taxes Affecting A Decedent's Estate	Akron, OH	Attendance	6.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.00
0/13/2010	219715	14th Annual White-Williams Bankruptcy Institute Video I	Carton	Attendance	6.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.50
1/01/2011	221934	Ethics & Professionalism	Self-St	Self Study	0.00	1.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.00
1/01/2011	221933	Substance Abuse, Chemical Dependency & Mental He	Self-St	Self Study	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00
4/01/2011	225949	15th Annual White-Williams Bankruptcy Institute	Hartwill	Attendance	3.75	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.75
6/21/2011	226965	Estate Administration Procedures: Why Each Step Is I	Akron, OH	Attendance	5.75	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.75
8/16/2011	229392	Watergate CLE: John Dean & the Ultimate Lawyer's E	Akron, OH	Attendance	1.75	1.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.75
8/23/2011	231475	Cybersleuth's Guide to the Internet	Akron, OH	Attendance	6.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.00
1/01/2011	231559	Advanced Issues in Real Estate Law	Var. O	Attendance	6.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.00
2/09/2011	231788	Everything You Need to Know about Appellate Advocac	Akron, OH	Attendance	4.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.00
1/01/2012	236792	Ethics & Professionalism	Self-St	Self Study	0.00	1.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.00
4/27/2012	240074	Comedic CLE	Akron, OH	Attendance	3.50	1.00	0.50	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.00
6/22/2012	242845	16th Annual White-Williams Bankruptcy Institute	Hartsvi	Attendance	6.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.00
					49.25	5.00	1.50	4.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	59.75

I HEREBY CERTIFY this document to be a true and correct copy of the original document on file with the Office of Attorney Services of the Supreme Court of Ohio.

Director, Office of Attorney Services
 by 
 Attorney Services Specialist

October 23, 2012

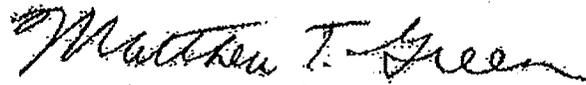
Re: Reinstatement application of Aaron Ridenbaugh

To whom it may concern:

I am an Assistant Attorney General in the Office of Attorney General Mike DeWine. I have known Aaron Ridenbaugh for over ten years. Aaron has always been a kind individual and a loyal friend. I am aware of the problems Aaron has experienced. In the last several years, however, Aaron has made a number of positive changes in his life. His commitment to sobriety is sincere. He has made fundamental changes in how he lives and how he interacts with the world, and I believe these changes are permanent in nature.

I am aware of the many pressures faced by and responsibilities placed upon a licensed, practicing attorney. Aaron is more than capable of dealing with these pressures and responsibilities in an ethical and competent manner. I strongly support his application to be reinstated as a full member of the bar.

Very truly yours,



Matthew T. Green (0075408)
7121 Sumption Dr.
New Albany, OH 43054
Daytime phone: (216) 406-6291

STIPULATED
EXHIBIT

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a



John L. Juergensen Co., LPA
Attorney at Law

October 23, 2012

Kenneth L. Gibson, Esq.
Gibson & Lowry
234 Portage Trail
PO Box 535
Cuyahoga Falls, Ohio 44221

Re: Aaron Ridenbaugh

Dear Attorney Gibson:

My name is John L. Juergensen, and I am sole-practitioner in North Canton, Ohio. I have been practicing law for nearly 13 years, and I am offering this letter in support of Aaron Ridenbaugh relative to his license reinstatement.

I have known Aaron for over eight years. During that time, Aaron and I have spent many hours together playing golf, dining out, and otherwise socializing. As such, I am quite familiar with Aaron both prior to and after the suspension of his license. Over the last five years, I have seen first-hand Aaron's commitment to his rehabilitation. He has been steadfast in his treatment, faithful to the conditions placed upon him by the court, and dedicated to making amends for his past transgressions.

Most importantly, Aaron has always taken responsibility for his actions. At no time have I ever heard him make excuses or try to justify his conduct. From the beginning, he accepted full responsibility and embraced the importance of seeking treatment for his mental health issues. I have seen him work hard over the years to address and to overcome those issues.

As such, it is my recommendation to the panel that Aaron's license be reinstated. I believe wholeheartedly that Aaron has the ability to represent and advise clients. I believe that Aaron can be a responsible and conscientious member of the bar. And, I believe that Aaron will comply with all standards of professional conduct and ethics going forward.

Washington Square Office Park
6645 Market Avenue N.
North Canton, Ohio 44721

PH: 330-494-4200
FX: 330-494-4201
jlj@juergensenlaw.com
www.juergensenlaw.com

STIPULATED
EXHIBIT

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Five years ago, I wrote a letter to the judge in Aaron's criminal case predicting that he would embrace the opportunity to get treatment for the mental health issues that led him to commit his crimes. I predicted that, with continued treatment and the support of friends and family, Aaron would be rehabilitated. As I look back over the past five years, I can say with all confidence that those predictions have come true. I do not take lightly the recommendation contained in this letter because every attorney has an obligation and responsibility to maintain the integrity of the profession. As such, I am secure in recommending to this panel that Aaron be reinstated to practice law.

I wish to thank the panel for the opportunity to speak on Aaron's behalf. Should you have any questions or wish to discuss this matter further, please do not hesitate to contact me.

Sincerely,

JOHN L. JUERGENSEN CO., LPA

John L. Juergensen

October 25, 2012

Re: Petition for Reinstatement of Aaron Ridenbaugh

To whom it may concern:

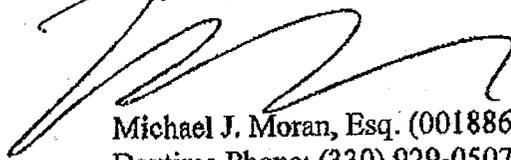
My name is Michael J. Moran and I am a partner at Gibson, Moran, & Gibson. Aaron Ridenbaugh has been an employee of mine for the last seven years. Since his arrest in 2007, Aaron has worked as a paralegal in my office.

Over the past five years I have witnessed Aaron's growth, both as a person and an employee. He is conscientious about his work and dedicated to his recovery from his past substance abuse and mental illness.

If reinstated to the bar, I strongly believe that Aaron will be a competent and ethical attorney. Therefore, I recommend that his petition to be reinstated as a member of the bar of the state of Ohio be approved.

Please do not hesitate to contact me if you have any questions or concerns.

Very truly yours,



Michael J. Moran, Esq. (0018869)
Daytime Phone: (330) 929-0507

STIPULATED
EXHIBIT

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To whom it may concern,

My name is Travis Ridenbaugh and I'm Aaron Ridenbaugh's younger brother. I'm writing this letter to convey that I am aware of his past personal/legal transgressions, but have seen many changes since his arrest and rehabilitation that leave no question in my mind about his ability to be both a capable and moral attorney.

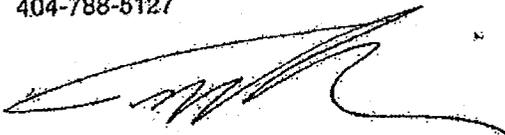
Immediately following his arrest, I was impressed by Aaron's willingness to take responsibility for his actions and fully address how his actions had lead to his situation. This was easy to see by the way he sought help in the form of professional counseling and group therapy. These activities have contributed to a noticeable change in his outlook toward life, and community/group involvement in particular. In fact, as Ohio State alums I used to be able to count on an in-game phone conversation with my brother...however, I typically find that he is organizing/coordinating group therapy sessions or volunteering for community events on most Saturdays instead of watching television.

His commitment to life change has also manifested itself physically as he's recently become committed to his own health and lost weight through diet and exercise. Although seemingly superficial, it really showed me his level of commitment toward a total life change.

In short, I'm convinced that he is committed to his sobriety and helping his community as a whole. I'm sure that he can be an effective attorney and and that his moral compass is pointed in the right direction.

Thank you for considering my comments.

Travis Ridenbaugh
1124 Country Lane NE
Atlanta, GA 30324
404-788-5127



STIPULATED
EXHIBIT

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d

November 14, 2012

To Whom It May Concern:

This letter is a reference for Aaron Ridenbaugh who is my Sponsee and friend. Aaron and I have been working together on the 12 Step Program of Narcotics Anonymous for 2 years. The Narcotics Anonymous program is a spiritual program to be addiction free. I have grown to know Aaron as a person and know of his previous situation and I feel he has learned from it and grown spiritually for the better. He is very caring to others and very attentive in his program. I feel he has a bright future as an attorney.

Aaron is also a home group member of "Hump Day Happenings" and was recently elected by the fellowships of Narcotics Anonymous to the position of Vice Chairman for Area (volunteer service work at the area level).

If you need any other information or have any questions please do not hesitate to contact me at 330-314-3694.

Sincerely,

Mark Latimer

Mark Latimer
Aaron's Sponsor

STIPULATED
EXHIBIT

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e

BEFORE THE BOARD OF COMMISSIONERS
ON
GRIEVANCES AND DISCIPLINE
OF
THE SUPREME COURT OF OHIO

In Re: : SCO Case No. 2008-2493

Reinstatement of : BCGD Case No. 2008-025

Aaron Anthony Ridenbaugh :
Attorney Reg. No. 0076823 :

Petitioner Disciplinary Counsel Relator	FILED APR 08 2013 CLERK OF COURT SUPREME COURT OF OHIO	Findings of Fact, Conclusions of Law, and Recommendation of the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio
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ON PETITION FOR REINSTATEMENT TO THE PRACTICE OF LAW PURSUANT
TO GOV. BAR R. V, SECTION 10

{¶1} This matter was heard on January 4, 2013 in Columbus upon the petition of Aaron Anthony Ridenbaugh for reinstatement to the practice of law, pursuant to Rule V, Section 10(A) of the Rules for the Government of the Bar of Ohio, before a panel consisting of Robert Gresham, Alvin R. Bell, and Bernard K. Bauer, chair. None of the panel members was from the appellate district in which Petitioner resides or of the appellate district in which Petitioner resided at the time of his suspension.

{¶2} Petitioner was represented by Kenneth L. Gibson and Relator was represented by Heather L. Coglianesse. Petitioner was present.

{¶3} The burden is on Petitioner to show by clear and convincing evidence that he should be reinstated to the practice of law. Petitioner must establish that he possesses all of the mental, educational, and moral qualifications that were required of an applicant for admission to

{¶16} Petitioner complied with the terms of his community control sanctions imposed by the Stark County Court of Common Pleas and was released by the court on or about August 16, 2010.

{¶17} It is likewise clear to this hearing panel that Petitioner has continued his psychiatric treatment and is able to return to the competent, ethical, and professional practice of law.

{¶18} Petitioner offered the testimony of Stephen Levin, M.D., a well-qualified psychiatrist, who has continuously treated the Petitioner since June 2007.

{¶19} Dr. Levine's initial assessment of the Petitioner revealed that he suffered from dysthymia, voyeurism, attention deficit disorder, a long history of marijuana dependence, and a passive socially avoidant personality pattern.

{¶20} Dr. Levine testified that the Petitioner "was a shy, unconfident person, very smart, but socially inhibited from making contact -- intimate contact with women." Hearing Tr. 28.

{¶21} Petitioner's depression and attention deficit disorder were treated with medications, "[b]ut the treatment for the paraphilia had to do with psychotherapy and the continuing probing and trying to understand the remote developmental factors and the current social factors that were supporting before his arrest these socially, if you'll excuse the expression, ridiculous behaviors." Hearing Tr. 29.

{¶22} In terms of his current situation, Dr. Levine's opinions about the Petitioner are:

Well, the dysthymia, that is the chronic depression, I think is gone. And as I wrote in a previous report, I can't actually be sure how much it's dependent on the dose of antidepressant which he's taking, which he's totally compliant with, or it's just the maturational shift that has occurred between the OLAP processes and his psychotherapy and time; but I don't really think Aaron is dysthymic or depressed any longer. He's actively engaged in life and he -- he's much more optimistic about his capacity to be in the

world. And I think he's much more confident about his capacity to solve problems.

And as I'm sure all of you are aware, the conditions under which he has been living for the last five years has required a great deal of humility and sort of compliance and acknowledging that there are other views about everything. And so he's been a very good, eager student to learn about how to live a better life. And as a result of that, I think his depression is gone. So that's the first thing.

The paraphilia or the voyeurism -- "paraphilia" is a term that psychiatrists use for a range of unusual behaviors, sexual behaviors; and that's just one of them, voyeurism. I think his voyeurism was a product of the sense of being left out of the world, left out of life processes. And the closest he could get to living a life would be participating surreptitiously in the lives of other people like you would participate if you're looking at pornography or as in the crime that he committed in terms of eavesdropping electronically on other couples.

But as he has grown in the past five years and as he has been punished severely for his criminal activity, he has naturally developed an aversion for anything that -- involving pornography or voyeurism or anything what we would call socially obnoxious or criminal.

In questioning Aaron repeatedly over many, many years, I wasn't just interested in the absence of the behavior, but the absence of fantasy about the behavior; and he doesn't really seem to be preoccupied in any sense with those activities, and I would say that he is no longer paraphilic. He's no longer voyeuristic. He no longer has an interest in pornography. And I think he's now participating in life, in sexual life and he has discovered what ideally we would love all of our patients to discover; that the actual participation with a real live human being is far better than the imagination with pixels or pictures of human beings. And many people with paraphilias, voyeurism and others, even when they have access to a real person as a partner, prefer pictures; and that's not true for Mr. Ridenbaugh. And so I think that's very reassuring.

As to the diagnosis of ADD, whatever residual of attention deficit disorder exists, he will just have to live with. I'm not impressed -- we don't talk about ADD. He takes his medicine. He seems to function vocationally extremely well. So I consider that a nonissue. I just renew his medicine once a year.

And about his character disorder, what I call his passive-dependent, social-avoidant style, he's made dramatic progress in this in that he's engaged in problem solving in an intimate relationship; and he now, rather than being a forlorn, alcohol-dependent, marijuana-dependent person is engaged in things that he likes to do. He loves to golf, so he -- he's always talking about his rare opportunities to golf. He likes to bowl. He likes to do things around his house -- mulch the beds, whatever, take care of the property. He's much more engaged in his life.

He's even engaged in his -- you know, his vocational life in a way that indicates -- I sense that he really enjoys the work that he does. I mean, he enjoyed the years of being a lawyer and now he's enjoying the role he plays -- the lesser role he plays. And I know, of course, he's looking forward to being reinstated if that's possible.

So Aaron is -- you know, if all psychiatrists had patients like Aaron, we'd have a much better reputation as being useful. So --

Hearing Tr. 30-34.

{¶23} Further, marijuana use is no longer an issue in Petitioner's life, according to Dr. Levine.

{¶24} As a consequence of his training, education, experience, and his five years of treatment of Petitioner, it is Dr. Levine's opinion, to a reasonable degree of certainty that Petitioner "could be ethical, moral, cognitively intact, excellent attorney in his field." Hearing Tr. 39.

{¶25} Further, Petitioner has a sustained period of successful treatment. Hearing Tr. 52.

{¶26} Based upon the foregoing, the panel determines, by clear and convincing evidence, that:

- The Petitioner possesses all of the mental, educational and moral qualifications that were required of an applicant for admission to the practice of law in Ohio at the time of his original admission;
- The Petitioner has complied with the continuing legal education requirements of Rule X(3)(G) of the Rules for the Government of the Bar; and

- The Petitioner is now a proper person to be readmitted to the practice of law in Ohio, notwithstanding the previous disciplinary action.

RECOMMENDATION

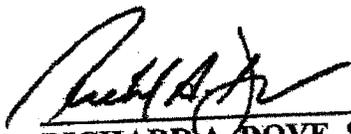
{¶27} Relator has taken no position regarding reinstatement. However, on questioning by the panel, Relator's counsel stated that, "In the original hearing, Dr. Levine was crucial to the panel and everyone's understanding of the Respondent's behavior and what was occurring. And also because the Respondent had only been in therapy for a couple of years at that period of time, there was a lot that was unknown about the progression of his behavior; and today Dr. Levine was able to certainly give a much broader and fuller opinion of that progression over the past five years." Hearing Tr. 99-100.

{¶28} Accordingly, the Panel unanimously recommends that Petitioner be readmitted to the practice of law in Ohio forthwith.

BOARD RECOMMENDATION

Pursuant to Gov. Bar R. V, Section 10, the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio considered this matter on April 5, 2013. A majority of the Board concluded that Petitioner is not a proper person to be readmitted to the practice of law in Ohio and recommends that the petition for reinstatement be denied. The Board further recommends that the cost of these proceedings be taxed to Petitioner in any disciplinary order entered, so that execution may issue.

Pursuant to the order of the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio, I hereby certify the foregoing Findings of Fact, Conclusions of Law, and Recommendation as those of the Board.



RICHARD A. DOVE, Secretary

BEFORE THE BOARD OF COMMISSIONERS
ON GRIEVANCES AND DISCIPLINE
OF THE SUPREME COURT OF OHIO

FILED

SEP 25 2008

BOARD OF COMMISSIONERS
ON GRIEVANCES & DISCIPLINE

Aaron Ridenbaugh
Atty. Reg. No.: 0076823
26700 CR 406
Fresno, Ohio 43824

AGREED
STIPULATIONS
BOARD NO. 08-025

DISCIPLINARY COUNSEL
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215-7411

AGREED STIPULATIONS

Relator, Disciplinary Counsel, and respondent, Aaron Ridenbaugh, do hereby stipulate to the admission of the following facts and exhibits:

STIPULATED FACTS

1. Respondent, Aaron Ridenbaugh, was admitted to the practice of law in the State of Ohio on November 10, 2003. Respondent is subject to the Code of Professional Responsibility and the Rules for the Government of the Bar of Ohio.
2. Respondent's license to practice law was suspended on February 7, 2008 pursuant to Gov. Bar Rule V(5)(A)(4).
3. On May 21, 2007 Respondent was arrested and charged with one count each of: voyeurism R.C. 2907.08, a misdemeanor of the third degree; criminal trespass, R.C. 2911.21, a misdemeanor of the fourth degree; and possession of criminal tools, R.C. 2923.24(A), a misdemeanor of the first degree.

4. Respondent pled not guilty to the charges in the Massillon Municipal Court and was released on ten-percent cash as surety bond of \$1,750.00.
5. On June 27, 2007 Respondent's case was bound over to the Stark County Court of Common Pleas for possible felony indictment.
6. On July 24, 2007, Respondent was indicted on the following charges: three counts of interception of wire, oral or electronic communications, R.C. 2933.52(A)(1), felonies of the fourth degree; and four counts of voyeurism, R.C. 2907.08(A), misdemeanors of the third degree.
7. Of those charges, one count of interception of wire, oral or electronic communications and one count of voyeurism occurred on April 21, 2005. One count of interception of wire, oral or electronic communications and one count of voyeurism occurred on September 27, 2006. The remaining count of interception of wire, oral or electronic communications and two counts of voyeurism occurred on May 21, 2007.
8. On August 17, 2007 Respondent was arraigned on the felony charges and pled not guilty.

9. On October 16, 2007 a bill of information charged Respondent with the following:
three counts of pandering sexually-oriented matter involving a minor, R.C.
2907.322(A)(5), felonies of the fourth degree; and one count of illegal use of a minor
in a nudity-oriented material or performance, R.C. 2907.323(A)(3), a felony of the
fifth degree. All of the counts occurred on November 9, 2006.
10. Respondent pled guilty to all of the charges on October 17, 2007.
11. On November 21, 2007 Respondent was sentenced to a total of 48 months in
prison on the charges with sentencing as follows:
Sixteen months on each count of interception of wire, oral or electronic
communications to run consecutively;
Twenty days on each count of voyeurism to run concurrently;
Sixteen months on each count of pandering sexually-oriented matter involving a
minor to run concurrently; and
Twelve months on the count of illegal use of a minor in a nudity-oriented material or
performance to run concurrently.
12. Respondent was released on or about January 17, 2007.
13. Respondent is currently on probation.
14. Respondent was evaluated by OLAP on June 4, 2007 and signed an OLAP contract.

15. Respondent has been in treatment with Steven B. Levine, M.D. since June 2007.

STIPULATED VIOLATIONS

For misconduct occurring after February 1, 2007, respondent's conduct constitutes violations of Rule 8.4(b), (It is professional misconduct for a lawyer to commit an illegal act that reflects adversely on the lawyer's honesty and trustworthiness); and Rule 8.4(h), (It is professional misconduct for a lawyer to engage in any other conduct that adversely reflects on the lawyer's fitness to practice law).

For misconduct occurring before February 1, 2007, respondent's conduct constitutes violations of DR 1-102(A)(3), (A lawyer shall not engage in conduct involving moral turpitude); and DR 1-102(A)(6), (A lawyer shall not engage in any other conduct that adversely reflects on his fitness to practice law).

STIPULATED EXHIBITS

1. Jackson Township police reports
2. Indictment of July 24, 2007 (Case no. 2007CR1068)
3. Bill of Information of October 16, 2007 (Case no. 2007CR1748)
4. Transcript of plea hearing, October 17, 2007
5. Stark County Court of Common Pleas Journal Entry Sentencing Form, November 21, 2007.
6. Transcript of sentencing hearing, November 21, 2007
7. Stark County Court of Common Pleas Criminal Hearing Disposition Sheet, January 16, 2008.

8. Judgment Entry, Judicial Release, January 23, 2008
9. Order of the Supreme Court of Ohio of February 7, 2008 suspending respondent from the practice of law
10. September 16, 2008 & November 16, 2007 letters of Megan Robertson, MSW, LSW,
11. June 25, 2008 & November 5, 2007 report of Steven B. Levine, MD
12. Sixteen page curriculum vita of Steven B. Levine, MD

STIPULATED MITIGATING AND AGGRAVATING FACTORS

Relator and Respondent stipulate to the following mitigating factors pursuant to BCGD Proc. Reg. § 10 (B)(2):

- (a) absence of a prior disciplinary record;
- (b) full and free disclosure to disciplinary board or cooperative attitude toward proceedings.
- (c) imposition of other penalties or sanctions.

There are no stipulated aggravating factors.

SANCTION

Relator and Respondent are unable to stipulate to an appropriate sanction. Instead the parties leave the determination as to appropriate sanction to the wisdom and discretion of the panel.

CONCLUSION

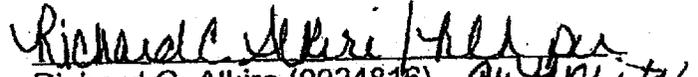
The above are stipulated to and entered into by agreement by the undersigned parties on this 25th day of September, 2008.



Jonathan E. Coughlan (0026424)
Disciplinary Counsel



Heather L. Hissom (0068151)
Assistant Disciplinary Counsel



Richard C. Alkire (0024816) *authority*
Counsel for Respondent

will sign original at hearing

Aaron Ridenbaugh (0076823)
Respondent

CERTIFICATE OF SERVICE

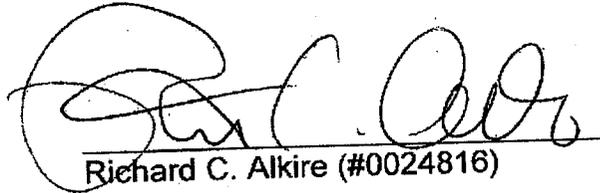
A copy of the foregoing **RESPONDENT'S OBJECTIONS TO THE FINAL REPORT OF THE BOARD OF COMMISSIONERS ON GRIEVANCES AND DISCIPLINE** has been mailed by ordinary U.S. mail this 19th day of February, 2008 to the following:

Jonathan E. Coughlan
Disciplinary Counsel

Disciplinary Counsel

and

Heather L. Hissom
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Richard C. Alkire (#0024816)

Attorney for Respondent

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