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SUPREME COURT OF OHIO

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

13-0978

IN THE MATTER OF:

SCOTT M. CALAWAY
Ohio Atty. Reg. No. 0068350
RESPONDENT

Case No.: 1:13-MC-048
Chief Judge Susan J. Dlott

ORDER

It appearing to the court that on August 21, 2013, an order was entered in this proceeding directing respondent to show cause within 30 days why this court should not impose identical discipline as heretofore imposed by the Supreme Court of Ohio; and that notice was mailed to the respondent at respondent's last known address, by certified mail, and posted to this courts official website, and no response having been filed with the Clerk of this court;

IT IS THEREFORE ORDERED that respondent is immediately suspended from the practice of law in this court pursuant to Rule II of the Model Federal Rules of Disciplinary Enforcement adopted by this Court on February 1, 1979, until reinstated. Respondent is hereby ordered to cease and desist from the practice of law in any form and is forbidden to appear on behalf of another before this court.

IT IS FURTHER ORDERED that respondent is forbidden to counsel, or advise, or prepare legal instruments for others or in any manner perform services of any kind for others which would constitute the practice of law in this court. Respondent is also forbidden to hold himself out to another or to the public as being authorized to perform legal services, and respondent is hereby divested of each and all of the rights, privileges and prerogatives customarily accorded to a member in good standing of the Bar of this court.

IT IS FURTHER ORDERED that within 30 days from the date of filing of this order, the respondent shall:

1. Notify all clients being represented in pending matters in this court 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;

I Certify that this is a true and correct copy of the original filed in my office on 11-6-2013
JOHN P. HEHMAN, CLERK
By
Date 11-7-2013

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SUPREME COURT OF OHIO

2. Regardless of any fees or expenses due respondent, deliver to all clients being represented in pending matters in this court any papers or other property pertaining to the clients, 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. Regarding any actions pending in this court, 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 possession or control of respondent;

4. Notify opposing counsel in pending litigation in this court, in the absence of counsel, the adverse parties, of respondent's disqualification to act as an attorney after the effective date of this order;

5. All notices required by this order shall be by certified mail and shall contain a return address where communications may thereafter be directed to respondent;

6. File with the Clerk of this court an affidavit showing compliance with this order and proof of service of notices required therein. Such affidavit shall set forth the address where the affiant may receive communications and the Clerk shall be kept advised of any change of address;

7. Retain and maintain a record of the various steps taken by respondent pursuant to this order.

IT IS FURTHER ORDERED that the Clerk of this court issue certified copies of this order to the Disciplinary Counsel of the Supreme Court of Ohio, to the Clerks of the Supreme Court of the United States and the United States Court of Appeals for the Sixth Circuit, to the National Discipline Data Bank, to the United States Bankruptcy Court for the Southern District of Ohio, and to be published to this courts official website.

Susan J. Dlott

Susan J. Dlott, Chief Judge
United States District Court
Southern District of Ohio