

ORIGINAL

IN THE SUPREME COURT OF OHIO

IN RE: )  
 )  
 COMPLAINT AGAINST LARRY )  
 SHENISE, )  
 )  
 Respondent, )  
 )  
 vs. )  
 )  
 AKRON BAR ASSOCIATION, )  
 )  
 Relator. )

CASE NO. 2013-1934  
 On Appeal from the Board of  
 Commissioners on Grievances and  
 Discipline  
 Case No. 2013-037

FILED  
 JAN 15 2014  
 CLERK OF COURT  
 SUPREME COURT OF OHIO

---

PETITIONERS THE BEACON JOURNAL PUBLISHING COMPANY, INC. AND PHIL  
 TREXLER'S MOTION REQUESTING A HEARING.

---

Karen C. Lefton (0024522)  
 (COUNSEL OF RECORD)  
 Elizabeth E. Collins (0091032)  
**BROUSE McDOWELL LPA**  
 388 South Main Street, Suite 500  
 Akron, Ohio 44311  
 Telephone: (330) 535-5711  
 Facsimile: (330) 253-8601  
 E-mail: klefton@brouse.com  
 ecolins@brouse.com

COUNSEL FOR PETITIONERS  
 THE BEACON JOURNAL  
 PUBLISHING COMPANY, INC.,  
 AND PHIL TREXLER

Robert M Gippin (0023478)  
**RODERICK LINTON BELFANCE, LLP**  
 50 South Main St., 10th Floor  
 Akron, OH 44308  
 Telephone: (330) 315-3400  
 Facsimile: (330) 434-9220  
 E-mail: rgippin@rlblp.com

Sharyl W. Ginther (0063029)  
 234 Portage Trail, P.O. Box. 535  
 Telephone: (330) 929-0507  
 Facsimile: (330) 929-6605  
 sharylesq@aol.com

Thomas P. Kot (0000770)  
 Akron Bar Association  
 57 S. Broadway St.  
 Akron, OH 44308  
 Telephone: (330) 253-5007  
 Facsimile: (330) 253-2140  
 tpkot@neohio.twcbc.com

COUNSEL FOR RELATORS

RECEIVED  
 JAN 15 2014  
 CLERK OF COURT  
 SUPREME COURT OF OHIO

Petitioners the Beacon Journal Publishing Company, Inc., and Phil Trexler move this Court for a hearing in the event that this Court decides not to outright deny Relator's Motion to Hold Phil Trexler in Contempt of Court, filed on December 12, 2013.

The Clerk of Court for the Supreme Court of Ohio rejected Petitioners' Brief in Opposition to Relator's Motion to Dismiss and Motion to Hold Phil Trexler in Contempt of Court as untimely.<sup>1</sup> Counsel for Petitioners regret any inconvenience caused to this Court, and respectfully urge that the interests of justice would be best served by a thorough analysis of the issues, as this appears to be a case of first impression. Ohio courts have not yet established a standard for compelling a journalist to testify in a quasi-judicial or administrative proceeding. Therefore, it is essential for this Court to have full access to the facts and legal analysis in order to determine whether the Panel Chair erred in holding a journalist subpoenaed to testify before an attorney discipline panel to the same standard as has been set for a journalist subpoenaed to testify at trial when he has witnessed a crime. Further, Relator will in no way be prejudiced by a hearing.

Because of the unique nature and significant legal issues involved in this case, as well as the potential adverse impact of the relief requested against a nonparty to the disciplinary action below, Petitioners respectfully request that this Court set a hearing to allow each party to be heard in the event that this Court decides not to outright deny Relator's motion.

Respectfully submitted,



---

Karen C. Lefton (0024522)  
(Counsel of Record)  
Elizabeth E. Collins (0091032)  
BROUSE McDOWELL LPA

---

<sup>1</sup> Counsel inadvertently misapplied the pertinent rule, resulting in late filing, for which it apologizes.

388 South Main Street, Suite 500  
Akron, Ohio 44311  
Telephone: (330) 535-5711  
Facsimile: (330) 253-8601  
E-mail: [klefton@brouse.com](mailto:klefton@brouse.com)  
[ecollins@brouse.com](mailto:ecollins@brouse.com)  
*Counsel for Petitioners*  
*The Beacon Journal Publishing*  
*Company, Inc. and Phil Trexler*

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing *Petitioners' Motion Requesting a Hearing* was served via e-mail and regular U.S. Mail delivery this 14th day of January, 2014, upon:

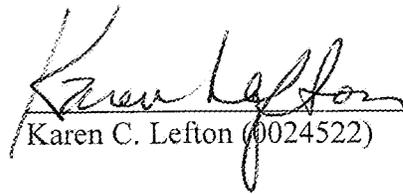
Robert M. Gippin  
Roderick Linton Belfance LLP  
50 South Main St., 10th Floor  
Akron, OH 44308  
330-315-3400 – ph  
330-434-9220 – fax  
[rgippin@rlblp.com](mailto:rgippin@rlblp.com)

Sharyl W. Ginther  
Gibson & Lowry, LLC  
234 Portage Trail  
P.O. Box 535  
Cuyahoga Falls, OH 44222  
330-929-0507 – ph  
330-929-6605 – fax  
[sharylesq@aol.com](mailto:sharylesq@aol.com)

Thomas P. Kot  
Bar Counsel  
Akron Bar Association  
57 S. Broadway St.  
Akron OH 44308  
330-253-5007 – ph  
330-253-2140 – fax

tpkot@neohio.twcbc.com

Larry D. Shenise  
P.O. Box 471  
Tallmadge, OH 44278  
ldsheniselaw@gmail.com

  
\_\_\_\_\_  
Karen C. Lefton (0024522)

876176