

ORIGINAL

# The Supreme Court of Ohio

CLIENTS' SECURITY FUND  
65 SOUTH FRONT STREET, 5TH FLOOR, COLUMBUS, OHIO 43215-3431

CHIEF JUSTICE  
MAUREEN O'CONNOR

JUSTICES  
PAUL E. PFEIFER  
TERRENCE O'DONNELL  
JUDITH ANN LANZINGER  
SHARON L. KENNEDY  
JUDITH L. FRENCH  
WILLIAM M. O'NEILL

ADMINISTRATOR  
JANET GREEN MARBLEY

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January 17, 2014

Mark Reed, Clerk  
Supreme Court of Ohio  
65 South Front Street, 8<sup>th</sup> Floor  
Columbus, Ohio 43215

*2012-1003*  
*2013-0938*

Re: James Walter Westfall, Jr.

Dear Mr. Reed:

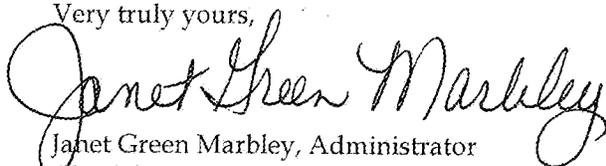
Enclosed please find copies of the Claim Determination Entry for awards made by the Board of Commissioners of the Clients' Security Fund of Ohio in the following claims:

<u>CSF CLAIM NO.</u>	<u>CLAIMANT</u>	<u>AWARD</u>
13-0004	Deborah C. Armtz	\$1,899
12-0185	John A. and Frances Chalklett	\$1,226
12-0177	Kay E. Gibson	\$1,606
13-0014	Sharon K. Holmes	\$1,299
13-0007	Donald G. Loudermilk	\$1,426
12-0190	Santos R. Ortiz	\$1,299
13-0008	Pamela Poteat	\$1,199

These awards arose from the dishonest conduct of James Walter Westfall, Jr. We ask that the information concerning the awards made by the Clients' Security Fund be placed in the attorney's file.

Thank you for your attention to this matter.

Very truly yours,



Janet Green Marbley, Administrator  
Clients' Security Fund

JGM/pdl  
Enclosures: as stated

FILED  
JAN 21 2014  
CLERK OF COURT  
SUPREME COURT OF OHIO

RECEIVED  
JAN 21 2014  
CLERK OF COURT  
SUPREME COURT OF OHIO

*The Supreme Court of Ohio*  
*Clients' Security Fund*  
65 South Front Street, 5<sup>th</sup> Floor  
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*Maureen O'Connor*  
Chief Justice

*Sally W. Cuni*  
Chair

*Janet Green Marbley*  
Administrator

**CLAIM DETERMINATION ENTRY**

In Re Application of Deborah C. Arntz v. James Walter Westfall, Jr.  
Claim Number 13-0004

This cause came on for hearing before the Board of Commissioners of the Clients' Security Fund this 6<sup>th</sup> day of December 2013 on the application of Deborah C. Arntz alleging a loss in the amount of \$1,899, caused by dishonest conduct of an attorney duly licensed to practice in the State of Ohio

The Commissioners of the Clients' Security Fund of Ohio find that:

- a) An attorney client relationship did exist between the claimant and James Walter Westfall, Jr.
- b) The claimant suffered a loss of \$1,899 on or about December 13, 2012.

The Commissioners further find that the dishonest conduct consisted of theft of unearned fees, and that the following disciplinary proceedings were taken:

**Resigned-Discipline Pending on 8/30/2013**

The Commissioners further find that the claimant took affirmative action against the attorney within one year of becoming aware of the loss; and that there is no insurance or bond which will benefit the claimant; and that said claimant is not a spouse, close relative, partner, insurer or bonding company, nor a governmental unit.

Therefore the Commissioners of the Clients' Security Fund do hereby determine that the claim of Deborah C. Arntz is eligible for reimbursement in the amount of \$1,899.

Payment of said amount is conditioned upon claimant complying with the subrogation assignment and other requirements of Sec. 6 of GOV. Rule VIII of the Ohio Supreme Court.

12/17/2013  
Date

Dec. 12, 2013  
Date

Sally W. Cuni  
Chair

Janet Green Marbley  
Secretary

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**CLAIM DETERMINATION ENTRY**

In Re Application of John A., Jr. and Frances Chalklett v. James Walter Westfall, Jr.  
Claim Number 12-0185

This cause came on for hearing before the Board of Commissioners of the Clients' Security Fund this 6<sup>th</sup> day of December 2013 on the application of John A., Jr. and Frances Chalklett alleging a loss in the amount of \$1,226, caused by dishonest conduct of an attorney duly licensed to practice in the State of Ohio

The Commissioners of the Clients' Security Fund of Ohio find that:

- a) An attorney client relationship did exist between the claimant and James Walter Westfall, Jr.
- b) The claimant suffered a loss of \$1,266 on or about Nov. 21, 2012.

The Commissioners further find that the dishonest conduct consisted of theft of unearned fees, and that the following disciplinary proceedings were taken:

**Resigned-Discipline Pending on 8/30/2013**

The Commissioners further find that the claimant took affirmative action against the attorney within one year of becoming aware of the loss; and that there is no insurance or bond which will benefit the claimant; and that said claimant is not a spouse, close relative, partner, insurer or bonding company, nor a governmental unit.

Therefore the Commissioners of the Clients' Security Fund do hereby determine that the claim of John A., Jr. and Frances Chalklett is eligible for reimbursement in the amount of \$1,226.

Payment of said amount is conditioned upon claimant complying with the subrogation assignment and other requirements of Sec. 6 of GOV. Rule VIII of the Ohio Supreme Court.

Date

12/17/2013

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**CLAIM DETERMINATION ENTRY**

In Re Application of Kay E. Gibson v. James Walter Westfall, Jr.  
Claim Number 12-0177

This cause came on for hearing before the Board of Commissioners of the Clients' Security Fund this 6<sup>th</sup> day of December 2013 on the application of Kay E. Gibson alleging a loss in the amount of \$1,606, caused by dishonest conduct of an attorney duly licensed to practice in the State of Ohio

The Commissioners of the Clients' Security Fund of Ohio find that:

- a) An attorney client relationship did exist between the claimant and James Walter Westfall, Jr.
- b) The claimant suffered a loss of \$1,606 on or about November 22, 2012.

The Commissioners further find that the dishonest conduct consisted of theft of unearned fees, and that the following disciplinary proceedings were taken:

**Resigned-Discipline Pending on 8/30/2013**

The Commissioners further find that the claimant took affirmative action against the attorney within one year of becoming aware of the loss; and that there is no insurance or bond which will benefit the claimant; and that said claimant is not a spouse, close relative, partner, insurer or bonding company, nor a governmental unit.

Therefore the Commissioners of the Clients' Security Fund do hereby determine that the claim of Kay E. Gibson is eligible for reimbursement in the amount of \$1,606.

Payment of said amount is conditioned upon claimant complying with the subrogation assignment and other requirements of Sec. 6 of GOV. Rule VIII of the Ohio Supreme Court.

Date

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**CLAIM DETERMINATION ENTRY**

In Re Application of Sharon K. Holmes v. James Walter Westfall, Jr.  
Claim Number 13-0014

This cause came on for hearing before the Board of Commissioners of the Clients' Security Fund this 6<sup>th</sup> day of December 2013 on the application of Sharon K. Holmes alleging a loss in the amount of \$1,299, caused by dishonest conduct of an attorney duly licensed to practice in the State of Ohio

The Commissioners of the Clients' Security Fund of Ohio find that:

- a) An attorney client relationship did exist between the claimant and James Walter Westfall, Jr.
- b) The claimant suffered a loss of \$1,299 on or about Jan. 3, 2013.

The Commissioners further find that the dishonest conduct consisted of theft of unearned fees, and that the following disciplinary proceedings were taken:

**Resigned-Discipline Pending on 8/30/2013**

The Commissioners further find that the claimant took affirmative action against the attorney within one year of becoming aware of the loss; and that there is no insurance or bond which will benefit the claimant; and that said claimant is not a spouse, close relative, partner, insurer or bonding company, nor a governmental unit.

Therefore the Commissioners of the Clients' Security Fund do hereby determine that the claim of Sharon K. Holmes is eligible for reimbursement in the amount of \$1,299.

Payment of said amount is conditioned upon claimant complying with the subrogation assignment and other requirements of Sec. 6 of GOV. Rule VIII of the Ohio Supreme Court.

12/17/2013  
Date

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**CLAIM DETERMINATION ENTRY**

In Re Application of Donald G. Loudermilk v. James Walter Westfall, Jr.  
Claim Number 13-0007

This cause came on for hearing before the Board of Commissioners of the Clients' Security Fund this 6<sup>th</sup> day of December 2013 on the application of Donald G. Loudermilk alleging a loss in the amount of \$1,426, caused by dishonest conduct of an attorney duly licensed to practice in the State of Ohio

The Commissioners of the Clients' Security Fund of Ohio find that:

- a) An attorney client relationship did exist between the claimant and James Walter Westfall, Jr.
- b) The claimant suffered a loss of \$1,426 on or about Nov. 29, 2012.

The Commissioners further find that the dishonest conduct consisted of theft of unearned fees, and that the following disciplinary proceedings were taken:

**Resigned-Discipline Pending on 8/30/2013**

The Commissioners further find that the claimant took affirmative action against the attorney within one year of becoming aware of the loss; and that there is no insurance or bond which will benefit the claimant; and that said claimant is not a spouse, close relative, partner, insurer or bonding company, nor a governmental unit.

Therefore the Commissioners of the Clients' Security Fund do hereby determine that the claim of Donald G. Loudermilk and Anne L. Pussel is eligible for reimbursement in the amount of \$1,426.

Payment of said amount is conditioned upon claimant complying with the subrogation assignment and other requirements of Sec. 6 of GOV. Rule VIII of the Ohio Supreme Court.

Date

12/17/2013

Date

Dec 13, 2013

Chair

Sally W. Cuni

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*Administrator*

**CLAIM DETERMINATION ENTRY**

In Re Application of Santos R. Ortiz v. James Walter Westfall, Jr.  
Claim Number 12-0190

This cause came on for hearing before the Board of Commissioners of the Clients' Security Fund this 6<sup>th</sup> day of December 2013 on the application of Santos R. Ortiz alleging a loss in the amount of \$1,299, caused by dishonest conduct of an attorney duly licensed to practice in the State of Ohio

The Commissioners of the Clients' Security Fund of Ohio find that:

- a) An attorney client relationship did exist between the claimant and James Walter Westfall, Jr.
- b) The claimant suffered a loss of \$1,299 on or about Dec. 19, 2012.

The Commissioners further find that the dishonest conduct consisted of theft of unearned fees, and that the following disciplinary proceedings were taken:

**Resigned-Discipline Pending on 8/30/2013**

The Commissioners further find that the claimant took affirmative action against the attorney within one year of becoming aware of the loss; and that there is no insurance or bond which will benefit the claimant; and that said claimant is not a spouse, close relative, partner, insurer or bonding company, nor a governmental unit.

Therefore the Commissioners of the Clients' Security Fund do hereby determine that the claim of Santos R. Ortiz is eligible for reimbursement in the amount of \$1,299.

Payment of said amount is conditioned upon claimant complying with the subrogation assignment and other requirements of Sec. 6 of GOV. Rule VIII of the Ohio Supreme Court.

12/17/2013  
Date

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**CLAIM DETERMINATION ENTRY**

In Re Application of Pamela Poteat v. James Walter Westfall, Jr.  
Claim Number 13-0008

This cause came on for hearing before the Board of Commissioners of the Clients' Security Fund this 6<sup>th</sup> day of December 2013 on the application of Pamela Poteat alleging a loss in the amount of \$1,071.95, caused by dishonest conduct of an attorney duly licensed to practice in the State of Ohio

The Commissioners of the Clients' Security Fund of Ohio find that:

- a) An attorney client relationship did exist between the claimant and James Walter Westfall, Jr.
- b) The claimant suffered a loss of \$1,199 on or about July 2, 2012.

The Commissioners further find that the dishonest conduct consisted of theft of unearned fees, and that the following disciplinary proceedings were taken:

**Resigned-Discipline Pending on 8/30/2013**

The Commissioners further find that the claimant took affirmative action against the attorney within one year of becoming aware of the loss; and that there is no insurance or bond which will benefit the claimant; and that said claimant is not a spouse, close relative, partner, insurer or bonding company, nor a governmental unit.

Therefore the Commissioners of the Clients' Security Fund do hereby determine that the claim of Pamela Poteat is eligible for reimbursement in the amount of \$1,199.

Payment of said amount is conditioned upon claimant complying with the subrogation assignment and other requirements of Sec. 6 of GOV. Rule VIII of the Ohio Supreme Court.

12/17/2013  
Date

Dec. 12, 2013  
Date

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Chair

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