

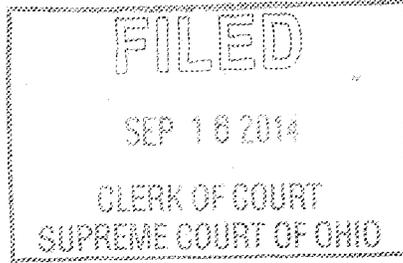
IN THE SUPREME COURT OF OHIO

ORIGINAL

Disciplinary Counsel,

Case No. 2014-1392

Relator:



V.

Edward Royal Bunstine,

Respondent.

Respondent's Objections to the Findings and / or Recommendations of the Board and to the Entry of a Disciplinary Order or to the confirmation of the report on which the order to show cause was issued.

On August 28, 2014, an Order To Show Cause was issued by the Honorable Chief Justice Maureen O'Connor of the Supreme Court of Ohio.

Pursuant to Gov. Bar R. V., Respondent files Objections to the Findings and Recommendations of the Board and to the Entry of the Disciplinary Order or to the confirmation of the report on which the order to show cause was issued.

To be specific, Respondent submits the following objections:

OBJECTION NO. ONE(1): Respondent would object to Panel / Board Finding No. Forty-Two (42) which reads as follows:

"An attorney-client relationship may be created by implication based on "the conduct of the parties and the reasonable expectations of the person seeking representation." *Cuyahoga County Bar Assn. v. Hardman*, 100 Ohio St.3d 260, 2003-Ohio-5596. Relator has proven by clear and convincing evidence that Freeland's reasonable expectation was that once his \$10,000 had been paid to Respondent, an attorney-client relations was created."

OBJECTION NO. TWO(2): Respondent would object to Panel / Board Finding No. Forty-Three (43) which reads as follows:

"By clear and convincing evidence, it was proven that Respondent violated the following: Prof. Cond. R. 1.1 in that although Respondent advised Freeland as to what should be done to proceed with his criminal case, he took no steps to actually protect his client's interests; Prof.

Cond. R. 3.3(a) in that Respondent falsely testified that he represented Sharon and not Freeland; Prof. Cond. R. 8.4(c) in that Respondent falsely testified that he represented Sharon and not Freeland; and Prof. Cond. R. 8.4(d) in that Respondent was less than forthcoming with Judge Corzine.”

OBJECTION NO. THREE(3): Respondent would object to Panel / Board Finding No. Forty-Nine (49) which reads as follows:

“By clear and convincing evidence, it was proven that Respondent violated Prof. Cond. R. 8.1(b), in that Respondent elected to not respond to a demand for information from a disciplinary authority and Gov. Bar R. V, Section 4(G), in that Respondent elected to not respond to a demand for information from a disciplinary authority.”

OBJECTION NO. FOUR(4): Respondent would object to Paragraph Seven(7) contained in the Overview of the Panel / Board Report, which reads as follows:

“Following receipt of the post-hearing briefs by both sides filed on February 25, 2014, the panel has voted unanimously to overrule Respondent’s motion to dismiss based upon Relator’s failure to comply with the provisions of Gov. Bar R. V, Section 4(I)(2) regarding the notice of intent to file a formal complaint.”

OBJECTION NOS. FIVE(5) AND SIX(6): Respondent would object to Paragraph Fifty-Six(56) and the Board Recommendation which, reads as follows:

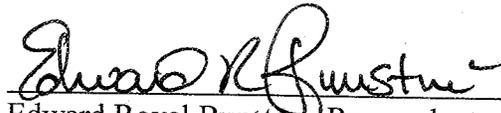
The Hearing Panel recommended a two (2) year suspension, with 18 months stayed in this case with no credit for time served. The Board adopted the Findings of Fact and Conclusions of Law of the Hearing Panel. However, the Board amended the sanction recommended by the Hearing Panel and recommended an indefinite suspension from the practice of law with credit for time served.

* * *

Respondent has filed a Brief in support of the Objections. Additionally, Respondent would like to address a phrase located in paragraph 54 under the Aggravation, Mitigation, and Sanction Section, which reads as follows:

“In 2012, the Supreme Court suspended Respondent for six months, staying the entire suspension after Respondent injected himself into the criminal investigation of several acquaintances, prepared false affidavits for two of them to file, and asserted that he represented the individuals who had executed the affidavits. *Disciplinary Counsel v. Bunstine*, 131 Ohio St.3d 302, 2012-Ohio-977.”

Respondent fully and completely accepts the decision entered in *Disciplinary Counsel v. Bunstine*. However, the phrase “prepared false affidavits for two of them to file” is not what happened. This phrase would refer to the affidavits signed by Bonnie Delong and Ed Delong. Bonnie Delong testified live, before the Panel who heard the case, that the contents of her affidavit were true and that Respondent told her and her husband (Ed Delong) not to sign the affidavits if they were not true. Ed Delong did not testify before the Panel because he had died. The affidavits were never filed by either Bonnie or Ed Delong.



Edward Royal Bunstine, Respondent
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was personally delivered to Richard Dove, Secretary, Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio, 65 South Front Street, Fifth Floor, Columbus, Ohio 43215-3431 and Stacy Solochek Beckman, Assistant Disciplinary Counsel, 250 Civic Center Drive, Suite 325, Columbus, Ohio 43215-7411 by e-mail at stacy.beckman@sc.ohio.gov, Chase B. Bunstine, Attorney at Law (filed an Amicus Brief), 32 South Paint Street, Chillicothe, Ohio 45601, by personal service on this 16th day of September, 2014.



Edward Royal Bunstine, Respondent
Supreme Court No. 0030127