

TABLE OF CONTENTS

TABLE OF CONTENTS	i.
I. STATEMENT OF FACTS	1-2
III. CONCLUSION	2
IV. CERTIFICATE OF SERVICE	2

I. STATEMENT OF FACTS:

It is important to note that Respondent agrees that the indefinite suspension recommended by the Board is the appropriate sanction subject to the conditions set forth in ¶¶ 124 and 125. Respondent's objection solely relates to ¶ 119, which addressed aggravating factors related to the sanction, which states:

In a further discrepancy, the panel finds that Respondent testified that "I have a few cases that I'm winding up, but I am – I have removed myself from the practice of law due to stress and so forth," and that "I have voluntarily removed myself from the practice of law." Hearing Tr. 13, 25. And yet, Respondent's counsel confirmed in a post-hearing phone conference on May 3, 2016 that Respondent continues to practice, and Respondent has not registered as inactive. This discrepancy is in keeping with a pattern of dishonesty as evidenced by the stipulations to the facts of this matter.

At the December 3, 2015 hearing Respondent's response to the panel's question about whether Respondent was practicing law was as follows:

I have voluntarily removed myself from the practice of law. I did that several months ago just because -- through my therapist, and I have realized that I need a break.

With what I've dealt with through my personal life, I never took the chance -- the time to focus on me and healing. I was worried about protecting my kids, protecting my nieces, protecting everybody except for looking out for myself.

So I can assure you that I will not come back to the practice of law until I am ready emotionally.

Hearing Transcript P. 25, L. 5-17.

At the December 3, 2015 hearing Respondent did state that she was wrapping up a few cases but left the panel with the strong impression she was not practicing law any longer because of the stress and turmoil in her life and was not going to practice until she was emotionally ready.

Contrary to Respondent's statement in her Objection Relators counsel did not bring up the fact that Respondent was still practicing law in the May 3, 2016 post hearing phone conference. What occurred is that the panel chair asked Respondent's counsel if Respondent was practicing law. Respondent's counsel

did not know and Relator's counsel responded to the question by saying yes she was practicing law. Relator's counsel was aware that Respondent's representation of a criminal defendant was noted in a local newspaper article dealing with the criminal defendants sentencing just a few days prior to the May 3, 2016 post hearing phone conference.

CONCLUSION

As outlined in the Stipulation and Findings of Fact and Recommendation of the Board the Respondent agreed that there were numerous submissions of false, misleading altered and/or forged documents which created a pattern of dishonesty that constituted a significant aggravating factor in this case. Relator requests that the objection be overruled and an indefinite suspension recommended by the full Board be accepted and the license of the Respondent be suspended indefinitely.

Respectfully submitted,

FITCH, KENDALL, CECIL,
ROBINSON & BARRY CO., LPA



Timothy A. Barry (#0039076)
600 East State Street, P O Box 590
Salem, OH 44460
(330) 337-8761 - phone
(330) 337-9453 - fax
tab.fklaw@gmail.com
Counsel for Relator

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was sent this 19th day of July, 2016, via email and regular U.S. Mail, postage prepaid, to:

The Board of Professional Conduct
c/o Richard A. Dove
Secretary Board of Professional Conduct
Supreme Court of Ohio
65 South Front Street, 5th Floor
Columbus, Ohio 43215-3431

John B. Juhasz, Esq.
7081 West Boulevard, Suite #4
Youngstown, Ohio 44512-4362



Timothy A. Barry (#0039076)
Counsel for Relator