

12/31/97

## SUPREME COURT OF OHIO

COLUMBUS

## ANNOUNCEMENT

9:00 A.M.

WEDNESDAY

December 31, 1997

## MERIT DOCKET

95-901. State ex rel. Kroger Co. v. Indus. Comm.  
Franklin App. No. 94APD03-422. Judgment affirmed.  
Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook  
and Lundberg Stratton, JJ., concur.

95-1131. State ex rel. Eaton Corp. v. Indus. Comm.  
Franklin App. No. 93APD10-1420. Judgment affirmed.  
Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook  
and Lundberg Stratton, JJ., concur.

95-1238. State ex rel. Secreto v. Indus. Comm.  
Franklin App. No. 94APD03-418. Judgment affirmed.  
Moyer, C.J., Pfeifer, Cook and Lundberg Stratton, JJ.,  
concur.  
Douglas, Resnick and F.E. Sweeney, JJ., dissent.

95-1525. State ex rel. Binegar v. Indus. Comm.  
Franklin App. No. 94APD06-794. Judgment reversed.  
Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook and  
Lundberg Stratton, JJ., concur.  
Douglas, J., dissents.

95-2646. In re Resignation of Guth.  
Milton Jerome Guth is sentenced to thirty days in jail,  
suspended, and a \$500 fine.  
Douglas, Resnick, F.E. Sweeney, Pfeifer and Lundberg  
Stratton, JJ., concur.  
Moyer, C.J., and Cook, J., concur and dissent.

96-1386. State v. Selvage.  
Montgomery App. No. 15530. Judgment affirmed.  
Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook  
and Lundberg Stratton, JJ., concur.

96-1411. Stivison v. Goodyear Tire & Rubber Co.  
Hocking App. No. 95CA13. Judgment affirmed.

Moyer, C.J., Pfeifer, Cook and Lundberg Stratton, JJ., concur.

Douglas, Resnick and F.E. Sweeney, JJ., dissent.

96-2301. State v. Palmer.

Belmont App. No. 89-B-28. Judgment affirmed.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Cook and Lundberg Stratton, JJ., concur.

Pfeifer, J., concurs separately.

96-2516. United States Fid. & Guar. Co. v. Lightning Rod Mut. Ins. Co.

Washington App. Nos. 95CA27 and 95CA29. Judgment reversed and cause remanded.

Moyer, C.J., F.E. Sweeney, Pfeifer and Cook, JJ., concur.

Resnick, J., concurs separately.

Douglas and Lundberg Stratton, JJ., dissent.

97-4. Dublin Senior Community L.P. v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 95-S-390. Decision reversed and cause remanded.

Moyer, C.J., F.E. Sweeney, Pfeifer and Lundberg Stratton, JJ., concur.

Douglas, Resnick and Cook, JJ., dissent.

97-34. Dublin Bd. of Edn. v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 95-J-948. Decision affirmed.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

Douglas, J., dissents.

97-422. Blessing v. Blessing.

Ottawa App. No. OT-96-016. Judgment affirmed.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

Douglas, J., not participating.

97-588. Smith v. Tracy.

Board of Tax Appeals, No. 96-T-566. Decision reversed and cause remanded.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-867. Columbus Bar Assn. v. Zauderer.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 93-05. Philip Q. Zauderer is suspended from the practice of law for one year, stayed, on conditions.

Moyer, C.J., Douglas, Resnick, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

F.E. Sweeney, J., dissents.

97-873. Columbus Bar Assn. v. Finneran.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 96-47. Russell D. Finneran is indefinitely suspended from the practice of law.

Moyer, C.J., Douglas, Resnick, Pfeifer, Cook and Harsha, JJ., concur.

F.E. Sweeney, J., dissents.

William H. Harsha III, J., of the Fourth Appellate District, sitting for Lundberg Stratton, J.

97-874. Cincinnati Bar Assn. v. Nienaber.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 96-49. Joseph W. Nienaber is indefinitely suspended from the practice of law.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-1153. Disciplinary Counsel v. Hine.

On Certified Order of the Supreme Court of Oklahoma. Katherine Hine is publicly reprimanded.

Moyer, C.J., Douglas, F.E. Sweeney, Cook and Lundberg Stratton, JJ., concur.

Resnick and Pfeifer, JJ., dissent.

97-1276. Columbus Bar Assn. v. Kostelac.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 96-40. Gregory M. Kostelac is suspended from the practice of law for two years, eighteen months stayed.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-1298. State ex rel. Lake v. Anderson.

Richland App. No. 97CA39. Judgment affirmed.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-1301. Disciplinary Counsel v. Hardesty.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 95-23. Kenneth W. Hardesty is suspended from the practice of law for two years, one year stayed, with probation.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-1313. Disciplinary Counsel v. Chavers.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 96-71. Clarence Louis Chavers is permanently disbarred.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-1351. State ex rel. Collins v. Leonard.

Allen App. No. 1-97-27. Judgment affirmed.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-1399. State ex rel. Sohi v. Williams.

Franklin App. No. 96APD05-687. Judgment affirmed.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-1426. State ex rel. Bruni v. Leonard.

Allen App. No. 1-97-25. Judgment affirmed.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer and Cook, JJ., concur.

Lundberg Stratton, J., concurs separately.

97-1463. State ex rel. Thomas v. Money.

Marion App. No. 9-97-32. Judgment affirmed.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-1477. State ex rel. Thomson v. Court of Claims.

Franklin App. No. 97APD03-425. Judgment affirmed.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-1747. Dayton Bar Assn. v. Bart.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 96-97. David R. Bart is suspended from the practice of law for one year, with credit for time served.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-1748. Dayton Bar Assn. v. Austin.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 96-117. Richard Austin is publicly reprimanded.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-1749. Disciplinary Counsel v. Williams.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 96-80. Kevin Williams is permanently disbarred.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.