

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

July 30, 2002

MOTION AND PROCEDURAL RULINGS

2002-0146. Gutmann v. Feldman.

Certified Question of State Law, No. C301049. This cause came before the court on the certification of a state law question from the United States District Court for the Southern District of Ohio, Western Division. Upon consideration of the motion for amicus curiae, Ohio Attorney General Betty D. Montgomery, to participate in oral argument scheduled for September 25, 2002,

IT IS ORDERED by the court that the motion for amicus curiae, Ohio Attorney General Betty D. Montgomery, to participate in oral argument be, and hereby is, granted, and amicus curiae shall share the time allotted to respondents.

2002-0942. State ex rel. Clow Water Sys./McWayne, Inc. v. Hart.

Franklin App. No. 01AP-720. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of appellant's motion for extension of time to file appellant's merit brief pursuant to S.Ct.Prac.R. XIV(6)(C),

IT IS ORDERED by the court that the motion for extension of time be, and hereby is, granted, and appellant's merit brief is due on or before September 10, 2002.

2002-1060. Carstons v. Klatt.

Franklin App. No. 01AP-538, 2002-Ohio-2236. This cause is pending before the court as a discretionary appeal and claimed appeal of right. The name of Ruth Beshears is listed as counsel for appellee in this case. Whereas Ruth Beshears is not registered for active status as an attorney in this state pursuant to Gov.Bar R. VI, and as required by S.Ct.Prac.R. I(1),

IT IS ORDERED by the court, sua sponte, that the name of Ruth Beshears be, and hereby is, stricken from this case, and Ruth Beshears shall not be permitted to participate in this case.

MISCELLANEOUS ORDERS

In re Report of the Commission :
on Continuing Legal Education. :
: ENTRY
Thomas Matthew Callaghan :
(#0021661), :
Respondent. :

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the “commission”) pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1998-1999 reporting period.

On June 1, 2001, this court adopted the recommendation of the commission, imposed a sanction fee upon the respondent, and suspended the respondent from the practice of law pursuant to Gov.Bar R. X(6)(B)(3), and Gov.Bar R. X(5)(A)(4). The court further ordered that respondent shall not be reinstated to the practice of law in Ohio until respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7); respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio; respondent complies with this and all other orders of the court; and this court orders respondent reinstated.

On June 3, 2002, the commission filed a recommendation pursuant to Gov.Bar R. X(7)(B)(2), finding that the respondent has paid all fees assessed for noncompliance, has made up all deficiencies and is now in full compliance with all requirements of Gov.Bar R. X, and recommending that the respondent be reinstated to the practice of law in Ohio. On June 3, 2002, the commission certified that respondent had completed the credit hours of continuing legal education required during his suspension by this court’s order of suspension. On July 9, 2002, respondent satisfied all of the requirements of this court’s order of suspension. Upon consideration thereof,

IT IS ORDERED by the court that the recommendation of the commission be adopted and respondent, Thomas Matthew Callaghan, is hereby reinstated to the practice of law.

In re Report of the Commission :
on Continuing Legal Education. :
: ENTRY
John Sheldon Kendall :
(#0046574), :
Respondent. :

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the “commission”) pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1998-1999 reporting period.

On June 1, 2001, this court adopted the recommendation of the commission, imposed a sanction fee upon the respondent, and suspended the respondent from the practice of law pursuant to Gov.Bar R. X(6)(B)(3), and Gov.Bar R. X(5)(A)(4). The court further ordered that respondent shall not be reinstated to the practice of law in Ohio until respondent complies with the requirements for reinstatement set forth in Gov.Bar R. X(7); respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio; respondent complies with this and all other orders of the court; and this court orders respondent reinstated.

On March 7, 2002, the commission filed a recommendation pursuant to Gov.Bar R. X(7)(B)(2), finding that the respondent has paid all fees assessed for noncompliance, has made up all deficiencies and is now in full compliance with all requirements of Gov.Bar R. X, and recommending that the respondent be reinstated to the practice of law in Ohio. On March 7, 2002, the commission certified that respondent had completed the credit hours of continuing legal education required during his suspension by this court’s order of suspension. On July 18, 2002, respondent satisfied all of the requirements of this court’s order of suspension. Upon consideration thereof,

IT IS ORDERED by the court that the recommendation of the commission be adopted and respondent, John Sheldon Kendall, is hereby reinstated to the practice of law.