

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

August 9, 2004

MOTION AND PROCEDURAL RULINGS

2004-0481. State v. Sherrills.

Cuyahoga App. No. 83839. This cause came on for further consideration on appellant's motion to supplement the record. Upon consideration thereof,

IT IS ORDERED by the court that the motion to supplement the record be, and hereby is, denied.

2004-0817. Cleveland Bar Assn. v. CompManagement, Inc.

Upon consideration of amicus curiae Federal Trade Commission's motion for admission pro hac vice of William E. Kovacic, Maureen K. Ohlhausen and James C. Cooper by Brenda W. Doubrava,

IT IS ORDERED by the court that the motion for admission pro hac vice be, and hereby is, granted.

2004-0951. State ex rel. Tyler v. Indus. Comm.

Franklin App. No. 03AP-836, 2004-Ohio-2818. On July 1, 2004, this case was referred to mediation under S.Ct.Prac.R. XIV(6). Whereas mediation is ongoing,

IT IS ORDERED by the court sua sponte that the briefing schedule for this case is stayed until further notice. The court will not issue any decision on the merits of this case until mediation has concluded. The lifting of this stay of briefing or the return of this case to the court's regular docket will begin de novo the time for briefing prescribed in S.Ct.Prac.R. VI.

2004-1048. State v. Borges.

Cuyahoga App. No. 84463. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's application for dismissal,

IT IS ORDERED by the court that the application for dismissal be, and hereby is, granted.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.

2004-1078. Cleveland Mun. School Dist. Bd. of Edn. v. Cuyahoga Cty. Bd. of Revision.

Board of Tax Appeals, Nos. 2002-R-2641 and 2002-R-2642. The court hereby returns this case to the regular docket under S.Ct.Prac.R. XIV(6). Appellant shall file its brief within 40 days of the date of this entry and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. VI. As provided in S.Ct.Prac.R. VI(7), the court may dismiss this case or take other action if the parties fail to timely file merit briefs.

DISCIPLINARY CASES

1993-1738. Cleveland Bar Assn. v. Gay.

On July 7, 2004, respondent, James A. Gay, filed an application for termination of probation. Upon consideration thereof, the court finds that respondent has substantially complied with Gov.Bar R. V(9)(D), and with its order dated February 27, 2002, in which the court stayed respondent's suspension and placed him on monitored probation.

THEREFORE, IT IS ORDERED by this court that the probation of respondent, James A. Gay, attorney Registration No. 0025646, last known address in Cleveland, Ohio, be, and hereby is, terminated.

2004-0790. In re Resignation of Cittadino.

On affidavit of resignation from the practice of law of Mary Elizabeth Cittadino, Attorney Registration No. 0074458, and on report filed under seal by Disciplinary Counsel. Resignation accepted with disciplinary action pending.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

MEDIATION REFERRALS

2004-1176. State ex rel. DeSantis v. Kubilus.

Stark App. No. 2004CA00086. The court refers this case to mediation under S.Ct.Prac.R. XIV(6), and stays the briefing schedule for this case until further notice. The court will not issue any decision on the merits of this case until mediation has concluded. The lifting of this stay of briefing or the return of this

case to the court's regular docket will begin de novo the time for briefing prescribed in S.Ct.Prac.R. VI.

2004-1216. Fichtel & Sachs Industries, Inc. v. Zaino.

Board of Tax Appeals, No. 2003-M-408. The court refers this case to mediation under S.Ct.Prac.R. XIV(6), and stays the briefing schedule for this case until further notice. The court will not issue any decision on the merits of this case until mediation has concluded. The lifting of this stay of briefing or the return of this case to the court's regular docket will begin de novo the time for briefing prescribed in S.Ct.Prac.R. VI.