

FILED

MAY 22 2017

BEFORE THE BOARD OF PROFESSIONAL CONDUCT
OF
THE SUPREME COURT OF OHIO

BOARD OF PROFESSIONAL CONDUCT

In re:

Complaint against

Howard Evan Skolnick, Esq.
1419 West Ninth Street, 2nd Floor
Cleveland, Ohio 44113

17-027

No. _____

Attorney Registration No. (0061905)

Respondent,

COMPLAINT AND CERTIFICATE

(Rule V of the Supreme Court Rules for
the Government of the Bar of Ohio.)

Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215-7411

Relator.

Now comes the relator and alleges that Howard Evan Skolnick, an Attorney at Law, duly admitted to the practice of law in the state of Ohio, is guilty of the following misconduct:

1. Respondent, Howard Evan Skolnick, was admitted to the practice of law in the state of Ohio on November 8, 1993. Respondent is subject to the Rules of Professional Conduct and the Rules for the Government of the Bar of Ohio.
2. On or around August 1, 2011, L.D. began working for respondent as a paralegal at the Skolnick Law Firm.
3. Almost immediately, respondent began verbally harassing L.D. Examples of respondent's conduct included, but was not limited to:
 - Calling L.D. "whorey," instead of her proper name;
 - Telling L.D. to "answer the phone bitch;"

- Making comments about her breasts, stating “look at those jugs, they are huge;”
 - Telling L.D. she was “stupid,” a “bitch,” and “dumb;”
 - Calling her “fat,” telling her she needed to “lose weight,” and making other disparaging remarks about L.D.’s weight and appearance.
4. Shortly after L.D. began her employment, she began sending her resume out looking for a new job. L.D. applied to over a hundred employment advertisements, but L.D. could not afford to quit her position with respondent until she secured new employment.
 5. The verbal insults and harassment occurred throughout L.D.’s employment; consequently, L.D. began recording respondent.
 6. On one occasion, with L.D. present, respondent told an African American client “you know L.D. doesn’t like black people.” L.D., who was upset and embarrassed by respondent’s untrue comment, was forced to defend herself in front of the client.
 7. During another conversation, the following exchange occurred:

Respondent: And you know what, I’m going to put you right next to my office, just like it is now. You’re going to be right -- you’re going to be right there so I can watch every move your despicable ass makes.

L.D.: You know what Howard, I bust my butt for you every day. You just like to call me into your office.

Respondent: No, I don’t, dude. You make me want to -- I mean, I’ve been losing weight since you’ve been hired because every time I see you, I want to not eat anything because I get nauseous.

L.D.: That’s -- that’s nice, Howard.

Respondent: Yep. It’s true. Let’s be honest, I’d rather fuck David than you.

L.D.: Well, you know what, go right ahead. You’re not my type either buddy, so don’t worry about it.

8. Sometime in April or May 2012, respondent was going to lunch to meet another attorney and he brought L.D. and another female employee with him. In the car on the way to lunch, the following exchange occurred between respondent, L.D., and the other female employee:

Female employee: You guys look like a cute couple up there.

L.D.: You're going to ride up here next.

Respondent: I have an idea. I don't think I'm your, like, employer right now and you're not my employees when we're -- you should have clocked out, but why don't you give me some road head on the way there, and you give me some road head on the way back and I'll rate you guys one out of ten.

L.D.: (Female employee's name)'s a pro I hear.

Respondent: I'm sure.

9. L.D. often went along with the verbal insults and harassment because she feared losing her job.

10. In November 2013, during a meeting with two other attorneys and L.D. present, respondent stated:

Don't let L.D. do shit as far as letters go for any of your people. Do your own fucking letters, you're a lawyer. She -- she fucking barely has -- fucking -- she's not even a high school graduate. Okay. She has a GED and she has some...

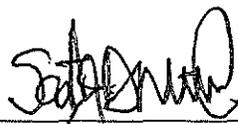
L.D., who was very upset and humiliated by the comments, got up and left the meeting.

11. In January 2014, L.D. obtained another job and terminated her employment with respondent.

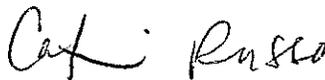
12. As a result of respondent's conduct, L.D. has suffered from anxiety, sleep disturbances, and depression. L.D. has struggled with poor body image from constantly being told that she was fat and needed to lose weight.
13. By the foregoing conduct, as well as other conduct of a similar nature, respondent violated the following provision of the Rules of Professional Conduct:
- (a) By verbally insulting and harassing his employee on multiple occasions, respondent violated Prof. Cond. R. 8.4(h) [engaging in any other conduct that adversely reflects on the lawyer's fitness to practice law].

CONCLUSION

Wherefore, pursuant to Gov. Bar R. V and the Rules of Professional Conduct, relator alleges that respondent is chargeable with misconduct; therefore, relator requests that respondent be disciplined pursuant to Rule V of the Rules of the Government of the Bar of Ohio.



Scott J. Drexel (0091467)
Disciplinary Counsel

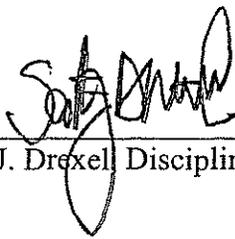


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CERTIFICATE

The undersigned, Scott J. Drexel, Disciplinary Counsel, of the Office of Disciplinary Counsel of the Supreme Court of Ohio hereby certifies that Catherine M. Russo is duly authorized to represent relator in the premises and has accepted the responsibility of prosecuting the complaint to its conclusion. After investigation, relator believes reasonable cause exists to warrant a hearing on such complaint.

Dated: May 22, 2017

A handwritten signature in black ink, appearing to read "Scott J. Drexel", is written over a horizontal line. The signature is stylized and cursive.

Scott J. Drexel, Disciplinary Counsel

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In re:

Complaint against

Howard Evan Skolnick, Esq.
1419 West Ninth Street
Second Floor
Cleveland, OH 44113

Case No. B4-2819

Attorney Reg. No. 0061905

**WAIVER OF DETERMINATION
OF PROBABLE CAUSE**

Respondent,

(Rule V(11)(B) of the Supreme Court
Rules for the Government of the Bar
of Ohio)

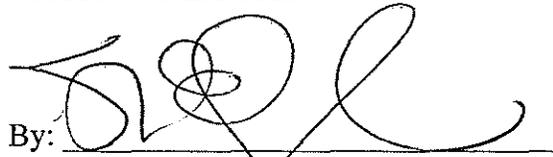
Disciplinary Counsel
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Relator.

Pursuant to the provisions of Rule V(11)(B) of the Supreme Court Rules for the Government of the Bar of Ohio, respondent, **Howard Evan Skolnick** by and through his attorney, **Jonathan Edward Coughlan**, stipulates that there is probable cause for the filing of a Complaint in the above-referenced proceeding and hereby waives the determination of probable cause by a Probable Cause Panel of the Board of Professional Conduct.

Dated: May 16 2017

By:



Jonathan Edward Coughlan (0061905)
Attorney for Respondent
Howard Evan Skolnick