FILED

NOV 26 2014

BOARD OF COMMISSIONERS
ON GRIEVANCES & DISCIPLINE

BEFORE THE BOARD OF COMMISSIONERS ON GRIEVANCES AND DISCIPLINE OF THE SUPREME COURT OF OHIO

In re:

Complaint against

Bradley Francis Hubbell, Esq.
413 North Michigan Street
Toledo, OH 43604

Attorney Registration No. (0075674)

Respondent,

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

Relator.

No. 14-099

COMPLAINT AND CERTIFICATE

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

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

1. Respondent, Bradley Francis Hubbell, was admitted to the practice of law in the state of Ohio on November 18, 2002. Respondent is subject to the Rules of Professional Conduct and the Rules for the Government of the Bar of Ohio.

2. In February 2011, respondent began representing Debra England on a probation violation in Findlay Municipal Court, Case No. 10 TRC 01492. In that case, there were allegations that England's probation officer sexually harassed England.

3. Approximately a year and a half after the completion of her criminal matter, respondent sent England an email inquiring how she was doing and providing his contact information.

4. At that time, England was involved in a custody dispute before the Domestic Relations Court in Wood County, Case No. 2001 DR 0022.

5. At England's request, respondent began representing her and entered an appearance in England's custody case in December 2012. Respondent represented England pro bono.

6. In March 2013, respondent's behavior toward England changed. During their interactions, respondent discussed things unrelated to her case, including that he was leaving his wife and other personal details about his life.

7. On March 1, 2013, respondent emailed England and asked her if she would "be interested in getting together...in a non professional capacity."

8. On March 5, 2013, respondent asked England about the limits of her data plan before he started "electronic flirting."

9. On March 6, 2013, respondent picked England up for a meeting. While there, respondent kissed England.

10. England was uncomfortable, felt unsafe, and suggested that they continue with their plan to go somewhere public in order to talk about her case.

11. Respondent drove England to a restaurant. On the way back to England's house, respondent continued to try to initiate a physical relationship.

12. In order to placate respondent and avoid respondent's advances, England told him that she was sick.

13. During the remainder of March 2013, respondent continued to seek a romantic relationship with England.

14. On or about March 29, 2013, respondent and England attended a pre-trial conference for the custody case. While in the courthouse parking lot, respondent gave England a six-

pack of non-alcoholic beer stating, "Here's what I got for you for hanging out." England is an alcoholic, and respondent believed that she drank that as part of her sobriety regimen.

15. After England rebuffed respondent, he sent a highly inappropriate and sexually suggestive email soliciting nude photographs and seeking to initiate a physical relationship with England. After receiving the email, England brought a family member with her when she met with Respondent.

16. At the end of April 2013, respondent contacted England and informed that he had left his wife and invited her over to his new residence. She declined.

17. England's custody case concluded in May 2013, and she reported respondent's conduct to his employer.

18. Respondent's conduct violates the Ohio Rules of Professional Conduct Rule 1.8(j) [A lawyer shall not solicit or engage in sexual activity with a client unless a consensual sexual relationship existed between them when the client-lawyer relationship commenced]; and Rule 8.4(h) [A lawyer shall not engage in any other conduct that adversely reflects on the lawyer's fitness to practice law].

CONCLUSION

Wherefore, pursuant to Gov. Bar R. V, the Code of Professional Responsibility and 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.

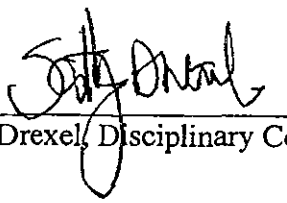
Scott J. Drexel (0091467)
Disciplinary Counsel

Donald M. Scheetz (0082422)
Assistant Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215-7411
614.461.0256
614.461.7205 – fax
Donald.Scheetz@sc.ohio.gov

CERTIFICATE

The undersigned, Scott J. Drexel, Disciplinary Counsel, of the Office of Disciplinary Counsel of the Supreme Court of Ohio hereby certifies that Donald M. Scheetz 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: November 26, 2014



Scott J. Drexel, Disciplinary Counsel

Gov. Bar R. V, § 4(I) ***Requirements for Filing a Complaint.***

(1) Definition. "Complaint" means a formal written allegation of misconduct or mental illness of a person designated as the respondent.

* * *

(7) Complaint Filed by Certified Grievance Committee. Six copies of all complaints shall be filed with the Secretary of the Board. Complaints filed by a Certified Grievance Committee shall be filed in the name of the committee as relator. The complaint shall not be accepted for filing unless signed by one or more attorneys admitted to the practice of law in Ohio, who shall be counsel for the relator. The complaint shall be accompanied by a written certification, signed by the president, secretary, or chair of the Certified Grievance Committee, that the counsel are authorized to represent the relator in the action and have accepted the responsibility of prosecuting the complaint to conclusion. The certification shall constitute the authorization of the counsel to represent the relator in the action as fully and completely as if designated and appointed by order of the Supreme Court with all the privileges and immunities of an officer of the Supreme Court. The complaint also may be signed by the grievant.

(8) Complaint Filed by Disciplinary Counsel. Six copies of all complaints shall be filed with the Secretary of the Board. Complaints filed by the Disciplinary Counsel shall be filed in the name of the Disciplinary Counsel as relator.

(9) Service. Upon the filing of a complaint with the Secretary of the Board, the relator shall forward a copy of the complaint to the Disciplinary Counsel, the Certified Grievance Committee of the Ohio State Bar Association, the local bar association, and any Certified Grievance Committee serving the county or counties in which the respondent resides and maintains an office and for the county from which the complaint arose.

RECEIVED
NOV 26 2014
Disciplinary Counsel
Supreme Court of Ohio

Jonathan B. Cherry
Attorney at Law
2110 Eastgate Road
Toledo, OH 43614
Phone: 419-381-9769
Cell: 419-509-6648

November 24, 2014

PERSONAL AND CONFIDENTIAL

Donald M. Scheetz, Esq.
Assistant Disciplinary Counsel
Office of the Disciplinary Counse;\l
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215-7411

FILED
NOV 26 2014
BOARD OF COMMISSIONERS
ON GRIEVANCES & DISCIPLINE

Re: Bradley Hubbell, 0075674
Your file No. B3-2126

Dear Mr. Scheetz:

Enclosed please find a Waiver of Probable Cause executed by my client and myself.

I would be grateful if you would provide me with a copy of the final compliant when you file it.

Thank you.

Sincerely,

Jonathan B. Cherry

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Supreme Court of Ohio

BEFORE THE BOARD OF COMMISSIONERS ON GRIEVANCES AND DISCIPLINE OF THE SUPREME COURT OF OHIO

In re:	:	
Bradley Francis Hubbell, Esq.	:	
413 North Michigan Street	:	
Toledo, OH 43604	:	
	:	
Attorney Reg. No. 0075674	:	
Disciplinary Counsel	:	**Case No. B3-2126**
250 Civic Center Drive, Suite 325	:	
Columbus, Ohio 43215-7411	:	
	:	
Relator	:	

Waiver of Probable Cause

Pursuant to Gov. Bar Rule V, Section 6(D)(1), respondent, Bradley Hubbell, waives his right to a probable cause review of this complaint by the Board.

Respectfully submitted,

Bradley Hubbell (0075674)
Respondent

Jonathan B. Cherry (0001126)
Counsel for Respondent
2110 Eastgate Road
Toledo, Ohio 43614
419-381-9769
Jbcherry@buckeye-express.com