

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

In re:	)	Case No:
	)	
Complaint Against:	)	
	)	
<b>MARK PRYATEL (0019678)</b>	)	
250 East 264 <sup>th</sup> St.	)	<b><u>COMPLAINT AND CERTIFICATE</u></b>
Euclid, Ohio 44132	)	
	)	
Respondent,	)	
	)	<b>(RULE V OF THE SUPREME COURT</b>
	)	<b>RULES FOR THE GOVERNMENT OF</b>
<b>CLEVELAND METROPOLITAN</b>	)	<b>THE BAR OF OHIO)</b>
<b>BAR ASSOCIATION</b>	)	
1301 East 9 <sup>th</sup> St., Second Level	)	
Cleveland, Ohio 44114	)	
	)	
Relator.	)	

Relator, Cleveland Metropolitan Bar Association, by and through its undersigned counsel, alleges that suspended Attorney Mark Pryatel (hereinafter "Respondent"), who was duly admitted to practice law in the State of Ohio on November 1, 1983 under Ohio Supreme Court Registration No. 0019678, and was indefinitely suspended from the practice of law on April 24, 2013 through *Cleveland Metro. Bar Assn. v. Pryatel*, 135 Ohio St. 410, 2013-Ohio-1537, is subject to further discipline pursuant to the Ohio Rules of Professional Conduct, and is guilty of the following misconduct:

**COUNT ONE: VIOLATIONS OF THE OHIO RULES OF PROFESSIONAL CONDUCT  
RELATED TO REPRESENTATION OF RICHARD BRAZELL**

1. Following his indefinite suspension from the practice of law, Respondent appeared in the Rocky River Municipal Court to represent Mr. Richard Brazell on traffic related offenses in Rocky River Municipal Court case number 10 TRD 17986.

2. An audio recording of Mr. Brazell's arraignment reveals that on June 5, 2013, Respondent appeared with Mr. Brazell before Magistrate Kelly Serrat and entered a plea of not guilty on behalf of Mr. Brazell and waived his right to a jury.

4. On July 9, 2013, Respondent appeared with Mr. Brazell in the Rocky River Municipal Court and asked Prosecutor Michael O'Shea to amend one of the charges against Mr. Brazell to a charge that would carry no points against Mr. Brazell's driver's license.

5. On July 9, 2013, Respondent appeared with Mr. Brazell before Judge Brian Hagan in open court and assisted Mr. Brazell in entering a plea of no contest to an amended charge of Failure to Display. Other charges were nolle consistent with Respondent's prearranged agreement with Mr. O'Shea.

6. In his written response to a letter of inquiry from Relator, Respondent denied representing Mr. Brazell after his indefinite suspension commenced.

7. Respondent's conduct violated the following provisions of the Rules of Professional Conduct:

a. Prof. Cond. R. 5.5(a) – by practicing law in a jurisdiction in violation of the regulation of the legal profession;

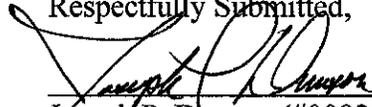
b. Prof. Cond. R. 8.1(a) – by knowingly making a false statement of material fact during Relator's investigation;

c. Prof. Cond. R. 8.4(c) – by engaging in conduct involving, dishonesty, *fraud*, deceit or misrepresentation; and

d. Prof. Cond. R. 8.4(d) – by engaging in conduct that is prejudicial to the administration of justice.

WHEREFORE, Relator prays that Respondent be appropriately disciplined for misconduct up to and including the sanction of disbarment.

Respectfully Submitted,



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Cleveland Metropolitan Bar Assn.



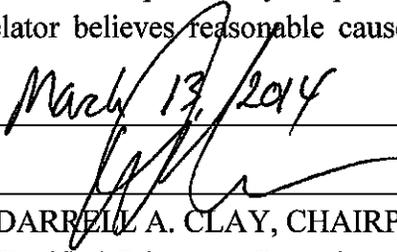
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Bar Counsel  
Cleveland Metropolitan Bar Assn.

**CERTIFICATE**

The undersigned, **DARRELL A. CLAY, CHAIRPERSON**, of the **CLEVELAND METROPOLITAN BAR ASSOCIATION'S CERTIFIED GRIEVANCE COMMITTEE**, hereby certifies that **JOSEPH P. DUNSON and WILLIAM B. NORMAN** are duly authorized to represent Relator in the premises and have 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: \_\_\_\_\_

  
\_\_\_\_\_  
**DARRELL A. CLAY, CHAIRPERSON**  
Certified Grievance Committee

**(Rule V of the Supreme Court Rules for the Government of the Bar of Ohio)**  
**Section (4)**

(4)(I)(8) The Complaint; Where Filed; By Whom Signed. A complaint shall mean a formal written complaint alleging misconduct or mental illness of one who shall be designated as the Respondent. Six (6) copies of all such complaints shall be filed in the office of the Secretary of the Board. Complaints filed by a Certified Grievance Committee shall not be accepted for filing unless signed by one or more members of the Bar of Ohio in good standing, who shall be counsel for the Relator, and supported by a certificate in writing signed by the President, Secretary or Chairman of the Certified Grievance Committee, which Certified Grievance Committee shall be deemed the Relator, certifying that said counsel are duly authorized to represent said Relator in the premises and have accepted the responsibility of prosecuting the complaint to conclusion. It shall constitute the authorization of such counsel to represent said Relator in the premises as fully and completely as if designated and appointed by order of the Supreme Court of Ohio with all the privileges and immunities of an officer of such Court. The complaint may also, but need not, be signed by the person aggrieved.

Complaints filed by the Disciplinary Counsel shall be filed in the name of Disciplinary Counsel as Relator.

Upon the filing of a complaint with the Secretary of the Board, Relator shall forward a copy thereof to Disciplinary Counsel, to the Certified Grievance Committee of the Ohio State Bar Association, to the local bar association and to any Certified Grievance committee serving the county or counties in which the Respondent resides and maintains his office and for the county from which the complaint arose.