

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

May 7, 2003

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### MERIT DECISIONS WITH OPINIONS

**2002-0603. State ex rel. Jackson Tube Serv., Inc. v. Indus. Comm., 2003-Ohio-2259.**

Franklin App. No. 01AP-667. Judgment affirmed in part, reversed in part, and cause remanded.

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

**2002-1676. State ex rel. DaimlerChrysler Corp. v. Indus. Comm., 2003-Ohio-2261.**

Franklin App. No. 01AP-1354, 2002-Ohio-4309. Judgment affirmed consistent with the opinion of the court of appeals.

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

**2002-1844. State ex rel. Cincinnati Enquirer, Div. of Gannett Satellite Info. Network, Inc. v. Cincinnati Bd. of Edn., 2003-Ohio-2260.**

In Mandamus. Writ denied.

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

Resnick, J., not participating.

**2002-2218. State ex rel. White v. Bechtel, 2003-Ohio-2262.**

Allen App. No. CA20020086. Judgment affirmed.

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

**DISCIPLINARY CASES**

**2003-0409. In re Resignation of Mirando.**

On affidavit of resignation from the practice of law of Michael A. Mirando and report filed under seal by Disciplinary Counsel. Resignation accepted with designation.

**2003-0421. Cuyahoga Cty. Bar Assn. v. Hardiman.**

On March 4, 2003, the Board of Commissioners on Grievances and Discipline filed its final report and recommendation with this court regarding respondent, James L. Hardiman. On April 2, 2003, respondent filed objections to the report. On April 4, 2003, relator filed a motion to strike respondent's objections and brief in support, and on April 14, 2003, respondent filed a memo opposing relator's motion to strike. Upon consideration thereof,

IT IS ORDERED by this court that relator's motion to strike be, and hereby is, denied.

Moyer, C.J., and F.E. Sweeney, J., dissent.

**2003-0623. In re Resignation of Conese.**

On affidavit of resignation from the practice of law of Michael S. Conese and report filed under seal by Disciplinary Counsel. Resignation accepted without designation.

Lundberg Stratton, J., dissents.

**MISCELLANEOUS ORDERS**

In re Report of the Commission :  
on Continuing Legal Education. :

E N T R Y

Richard Paul Brudzynski :  
(#0025108), :  
Respondent. :

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (“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 2000-2001 reporting period.

On April 10, 2003, 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 (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 May 1, 2003, 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 May 1, 2003, 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 April 29, 2003, respondent satisfied all 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, Richard Paul Brudzynski, is hereby reinstated to the practice of law.

In re Report of the Commission :  
on Continuing Legal Education. :

David Thomas Buckley : E N T R Y  
(#0039006), :  
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 1990-1991 reporting period.

On June 18, 1993, pursuant to Gov.Bar R. X(6)(B)(3), this court entered an order adopting the recommendation of the commission found in its report

regarding the 1990-1991 reporting period suspending the respondent from the practice of law and imposing a fee sanction upon the respondent.

On April 10, 2003, the commission filed a motion to vacate and modify sanction, requesting that the order of June 18, 1993, pertaining to the suspension of the above-named respondent, be vacated and be modified to order a monetary sanction only. Upon consideration thereof,

IT IS ORDERED by the court that the motion to vacate and modify sanction be, and is hereby, granted.

IT IS FURTHER ORDERED by the court that the entry of June 18, 1993, be and hereby is modified as follows: respondent's suspension from the practice of law is vacated and the monetary sanction of \$750 remains.

In re Report of the Commission :  
on Continuing Legal Education. :

Helen Bransztet Mikus : E N T R Y  
(#0012343), :  
Respondent. :

This matter originated in this court on the filing of reports 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 1997-1998 and 1999-2000 reporting periods.

On January 20, 2000, pursuant to Gov.Bar R. X(6)(B)(3), this court entered an order adopting the recommendation of the commission found in its report regarding the 1997-1998 reporting period and imposing a fee sanction upon the respondent. On April 5, 2002, this court entered an order adopting the commission's recommendation related to the 1999-2000 reporting period, suspending the respondent from the practice of law and imposing a fee sanction upon the respondent.

On April 10, 2003, the commission filed a motion to vacate, requesting that the orders of January 20, 2000, and April 5, 2002, pertaining to the above-named respondent, be vacated. Upon consideration thereof,

IT IS ORDERED by the court that the motion to vacate be, and is hereby, granted.

IT IS FURTHER ORDERED by the court that the orders of January 20, 2000, and April 5, 2002, are hereby vacated, and these matters are dismissed.

In re Report of the Commission :  
on Continuing Legal Education. :

Barry Allan Schwartz : E N T R Y  
(#0016336), :  
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 1991-1992 reporting period.

On May 9, 1994, pursuant to Gov.Bar R. X(6)(B)(3), this court entered an order adopting the recommendation of the commission found in its report regarding the 1991-1992 reporting period suspending the respondent from the practice of law and imposing a fee sanction upon the respondent.

On April 10, 2003, the commission filed a motion to vacate, requesting that the order of May 9, 1994, pertaining to the suspension and monetary sanction of the above-named respondent, be vacated. Upon consideration thereof,

IT IS ORDERED by the court that the motion to vacate be, and is hereby, granted.