

CINCINNATI BAR ASSOCIATION *v.* FIDLER.

[Cite as *Cincinnati Bar Assn. v. Fidler* (1999), 86 Ohio St.3d 1201.]

(No. 97-2641 — Submitted and decided June 8, 1999.)

ON APPLICATION.

This cause came on for further consideration upon the filing by respondent Mark W. Fidler, a.k.a. Mark Walter Fidler, of an application seeking a stay of the last year of his eighteen-month suspension and placement on probation for one year, on conditions.

The court coming now to consider its order of October 14, 1998, wherein the court, pursuant to Gov.Bar R. V(6)(B)(3), suspended respondent for a period of eighteen months with one year of the suspension to be stayed pending successful completion of a one-year probation period and appropriate counseling to address the problems that caused him to engage in the underlying misconduct, finds that respondent has substantially complied with that order and with the provisions of Gov.Bar R. V(10)(A). Therefore,

IT IS ORDERED by the court that the final year of respondent's eighteen-month suspension be and is hereby stayed and that respondent Mark W. Fidler, a.k.a. Mark Walter Fidler, Attorney Registration No. 0020309, last known business address in Cincinnati, Ohio, be placed on monitored probation for a period of one year, on the conditions set forth in this court's October 14, 1998 order entered in this case.

IT IS FURTHER ORDERED by the court that pursuant to Gov.Bar R. V(9), relator, Cincinnati Bar Association, shall appoint an attorney to monitor respondent and, further, that relator shall file with the Clerk of this court, on or before thirty days from the date of this order, the name of the monitoring attorney.

IT IS FURTHER ORDERED that at the end of the monitored probationary period, relator, Cincinnati Bar Association, shall file a report with the Clerk of this court indicating whether respondent has complied with the terms of the probation.

IT IS FURTHER ORDERED that respondent shall keep the Clerk, Disciplinary Counsel, relator, and the monitoring attorney advised of any change of address where respondent may receive communications.

IT IS FURTHER ORDERED that at the end of the probationary period, respondent may apply for termination of probation. It is further ordered that respondent's probation shall not be terminated until (1) he applies for termination of probation in accordance with Gov.Bar R. V(9) and meets the requirements of having his probation terminated; (2) he complies with this and all other orders issued by this court; (3) he complies with the Supreme Court Rules for the Government of the Bar of Ohio; (4) relator files a report with the Clerk's office of this court, indicating that respondent has complied with the terms and conditions of his monitored probation; and (5) this court enters an order terminating his probation.

IT IS FURTHER ORDERED that the Clerk of this court issue certified copies of this order as provided for in Gov.Bar R. V(8)(D)(1), that publication be made as provided for in Gov.Bar R. V(8)(D)(2), and that respondent bear the costs of publication.

For earlier case, see *Cincinnati Bar Assn. v. Fidler* (1998), 83 Ohio St.3d 396, 700 N.E.2d 323.

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER, COOK and LUNDBERG STRATTON, JJ., concur.