

John

FACTS OF THE GRIEVANCE
Re: James P. Fleisher, Attorney (0059509)

INTRODUCTION

This is a Grievance sent to the Disciplinary Counsel of the Office of Disciplinary Counsel, The Supreme Court of Ohio in regard to the unethical professional conduct of James P. Fleisher, Attorney, (0059509), 400 National City Center, 6 North Main Street, Dayton, Ohio 45402 ("Fleisher"), who represented me, Robert Schwartz in Cincinnati. I shall refer to myself as "Schwartz" rather than in first person.

Most of the activities took place in 2009 and 2010. A malpractice case was filed during which time it was impractical and improper to duplicate related facts in a Grievance. The malpractice suit concluded in favor of Mr. Fleisher. (Hamilton County Court of Common Pleas (A-1306076) on January 26, 2016. Related matters settled in June 2016.

This Grievance does not deal with, or revisit, the merits of the prior malpractice action. This report is of Fleisher's Violations of the Code of Professional Responsibility and Disciplinary Rules and it is before the Disciplinary Counsel. This is a different tribunal that only involves the ethical violations committed by Fleisher. The Bar is the Petitioner. In order to present the facts of misconduct and their very harmful results, this Grievance report requires a review of many facts in Schwartz's cases. The merits, guilt, innocence or denials by Schwartz are not at issue here. Misconduct by Fleisher is the only concern.

A general **Statement of Facts** follows this **Introduction**. The **Statement of Facts** is sectioned to report many unethical acts. First, are those directly related to Fleisher's **Federal Criminal Court Misconduct**. Second, are the many **Other Acts of Unethical Conduct Not Related to The Criminal Proceedings**.

Following the **Statement of Facts** are categorized excerpts from the **Rules of Professional Conduct Violations**. Unfortunately, the violations are numerous so the facts to support them are extensive. At the end of the listed **Rules of Professional Conduct Violations** is a **Request for Resolution**.

Exhibits are presented last. In the interest of brevity, only some of the relevant documents are presented here as Exhibits. Other referenced documents, such as the un-sealed, secret, In-Chambers Transcripts, documenting Fleisher's appalling misconduct, shall be provided if requested.