

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO**

**IN THE MATTER OF:  
KEVIN JOHN O'BRIEN  
Ohio Atty. Reg. No. 0028108  
RESPONDENT.**

**Case No. 1:08-mc-056  
Chief Judge Algenon L. Marbley**

**ORDER**


**IT APPEARING TO THE COURT** that on April 1, 2024, the Supreme Court of Ohio has entered an interim remedial suspension from the practice of law in Ohio, pursuant to Gov.Bar R. V(19)(B) of the Supreme Court Rules for the Government of the Bar of Ohio, and in accordance with Rule II of the Model Federal Rules of Disciplinary Enforcement, adopted by this court on February 1, 1979,

**IT IS ORDERED** that Respondent shall show cause, if any, within thirty (30) days after service of this order, of any claim under the grounds set forth in Section (D) of said Rule II, why this court should not impose the identical discipline on Respondent heretofore imposed by the Supreme Court of Ohio. Said Respondent is admonished that his failure to show cause within 30 days by a pleading filed with the Clerk of this Court shall be deemed a waiver of Respondent's rights in the premises and constitute grounds for this Court to enter the order prescribed herein.

**IT FURTHER APPEARING** to the Court that Respondent has been forbidden by the Supreme Court of Ohio to appear on behalf of another before any court, judge, commission, board, administrative agency, or other public authority, the said Respondent, until final resolution of the matter in this Court, shall not represent or continue to represent any person in this Court.

**IT IS FURTHER ORDERED** that the Clerk of this Court shall cause a copy of this order to be served on said Respondent, by certified mail, return receipt requested to Kevin John O'Brian, Kevin O'Brien & Assoc Co LPA, 995 S High St., Columbus, OH 43206 and to be published to this Court's official website.

**IT IS SO ORDERED.**



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Algenon L. Marbley, Chief Judge  
United States District Court  
Southern District of Ohio

# The Supreme Court of Ohio

Columbus Bar Association,

Relator,

v.

Kevin John O'Brien,

Respondent.

Case No. 2024-0394

O R D E R

On March 18, 2024, and pursuant to Gov.Bar R. V(19)(A)(1)(b), relator, Columbus Bar Association, filed with this court a motion for an immediate interim remedial suspension, alleging that respondent, Kevin John O'Brien, has engaged in conduct that violates the Ohio Rules of Professional Conduct and poses a substantial threat of serious harm to the public. On March 19, 2024, the court imposed a temporary interim remedial suspension against respondent, pending the filing of respondent's response to the motion for an immediate interim remedial suspension and a final disposition on the merits of the motion for an immediate interim remedial suspension. Respondent did not file a response, and this matter was considered by the court.

Upon consideration thereof and pursuant to Gov.Bar R. V(19)(B), it is ordered and decreed that an interim remedial suspension is immediately entered against Kevin John O'Brien, Attorney Registration No. 0028108, last known business address in Columbus, Ohio, and that the suspension be effective as of the date of this entry, pending final disposition of disciplinary proceedings predicated on the conduct threatening the serious harm.

It is further ordered that respondent immediately cease and desist from the practice of law in any form and that respondent is hereby forbidden to appear on behalf of another before any court, judge, commission, board, administrative agency, or other public authority.

It is further ordered that effective immediately, respondent is forbidden to counsel, advise, or prepare legal instruments for others or in any manner perform legal services for others.

It is further ordered that respondent is hereby divested of each, any, and all of the rights, privileges, and prerogatives customarily accorded to a member in good standing of the legal profession of Ohio.

It is further ordered that before entering into an employment, contractual, or consulting relationship with any attorney or law firm, respondent shall verify that the attorney or law firm has complied with the registration requirements of Gov.Bar R. V(23)(C). If employed pursuant to Gov.Bar R. V(23), respondent shall refrain from direct client contact except as provided in Gov.Bar R. V(23)(A)(1) and from receiving, disbursing, or otherwise handling any client trust funds or property.

It is further ordered that pursuant to Gov.Bar R. X(13), respondent shall complete one credit hour of continuing legal education for each month, or portion of a month, of the suspension. As part of the total credit hours of continuing legal education required by Gov.Bar R. X(13), respondent shall complete one credit hour of instruction related to professional conduct required by Gov.Bar R. X(3)(B) for each six months, or portion of six months, of the suspension.

It is further ordered that respondent shall not be reinstated to the practice of law in Ohio until (1) respondent complies with the requirements for reinstatement set forth in the Supreme Court Rules for the Government of the Bar of Ohio, (2) respondent complies with this and all other orders issued by this court, (3) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio, and (4) this court orders respondent reinstated.

It is further ordered by the court that within 90 days of the date of this order, respondent shall reimburse any amounts that have been awarded by the Lawyers' Fund for Client Protection pursuant to Gov.Bar R. VIII(7)(F). It is further ordered by the court that if after the date of this order the Lawyers' Fund for Client Protection awards any amount against respondent pursuant to Gov.Bar R. VIII(7)(F), respondent shall reimburse that amount to the Lawyers' Fund for Client Protection within 90 days of the notice of that award.

It is further ordered that on or before 30 days from the date of this order, respondent shall do the following:

1. Notify all clients being represented in pending matters and any co-counsel of respondent's suspension and consequent disqualification to act as an attorney after the effective date of this order and, in the absence of co-counsel, also notify the clients to seek legal services elsewhere, calling attention to any urgency in seeking the substitution of another attorney in respondent's place;
2. Regardless of any fees or expenses due, deliver to all clients being represented in pending matters any papers or other property pertaining to the client or notify the clients or co-counsel, if any, of a suitable time and place where the papers or other property may be obtained, calling attention to any urgency for obtaining such papers or other property;
3. Refund any part of any fees or expenses paid in advance that are unearned or not paid and account for any trust money or property in respondent's possession or control;
4. Notify opposing counsel or, in the absence of counsel, the adverse parties in pending litigation of respondent's disqualification to act as an attorney after the effective date of this order and file a notice of disqualification of respondent with the court or agency before which the litigation is pending for inclusion in the respective file or files;
5. Send all notices required by this order by certified mail with a return address where communications may thereafter be directed to respondent;
6. File with the clerk of this court and disciplinary counsel of the Supreme Court an affidavit showing compliance with this order, showing proof of service of the notices required herein, and setting forth the address where respondent may receive communications; and



7. Retain and maintain a record of the various steps taken by respondent pursuant to this order.


It is further ordered that respondent shall keep the clerk, disciplinary counsel, and the Columbus Bar Association advised of any change of address where respondent may receive communications.

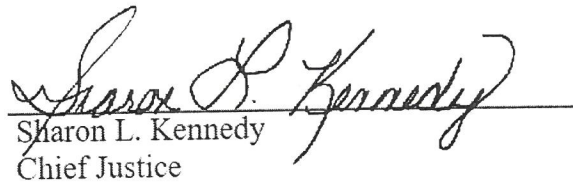
It is further ordered that service shall be deemed made on respondent by sending this order, and all other orders in this case, by certified mail to the most recent address respondent has given to the Office of Attorney Services.

It is further ordered that the clerk of this court issue certified copies of this order as provided for in Gov.Bar R. V(17)(E)(1) and that publication be made as provided for in Gov.Bar R. V(17)(E)(2).

I HEREBY CERTIFY that this document is a true and accurate copy of the entry of the Supreme Court of Ohio filed 4-1-2024 in Supreme Court case number 2024-0394

In witness whereof I have hereunto subscribed my name and affixed the seal of the Supreme Court of Ohio on this 1ST day of APRIL, 2024

 CLERK OF COURT  
by \_\_\_\_\_, Deputy

  
Sharon L. Kennedy  
Chief Justice