

BOARD OF COMMISSIONRES ON THE
UNAUTHORIZED PRACTICE OF LAW
OF THE SUPREME COURT OF OHIO

CINCINNATI BAR ASSOCIATION

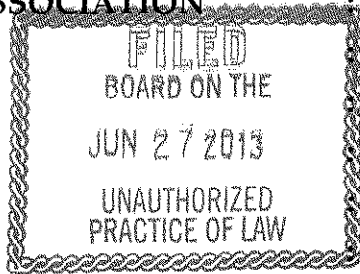
Relator

vs

RAYMOND G. WENE

RELIABLE LAND TITLE AGENCY, LLC

Respondents



CASE NO. UPL

13-04

SETTLEMENT AGREEMENT -

WAIVER OF NOTICE

WAIVER OF HEARING

Come now Relator and Respondent and stipulate and agree to the following:

1. Relator is a regularly organized bar association which has constituted, and actively maintains a committee on the unauthorized practice of law, each member of which is an attorney at law duly admitted to the practice of law in the State of Ohio.
2. Relator, through its Unauthorized Practice of Law Committee, is authorized to investigate and prosecute activities which may constitute the unauthorized practice of law in the state of Ohio.
3. Respondent, Raymond G. Wene, upon information and belief, is the sole member and managing officer of respondent, Reliable Land Title Agency, LLC.
4. Respondent is not licensed to practice law in the state of Ohio.
5. Respondent, Reliable Land Title Agency, LLC, is not a "legal professional association, legal clinic, limited liability company, or registered partnership" within the meaning for Rule III of the Ohio Supreme Court for the Government of the Bar.

6. Respondents, through omission and commission, engaged in activities constituting the unauthorized practice of law in that persons employed by Respondent Wene in the operation of Respondent Reliable Land Title Agency, LLC during the period of 2011 to May 2012, prepared deeds and other instruments conveying interests in real estate without the knowledge, supervision or direction of an attorney admitted to practice in the state of Ohio.
7. Persons working for Reliable and under Mr Wene's supervision used forms that recited that the instrument had been prepared by one Amy Ferguson, an attorney, who had previously done work for Reliable without her knowledge or consent.
8. Upon the initial report of this matter, Respondent Wene, immediately agreed to cease and desist from activities constituting the unauthorized practice of law. Respondent voluntarily further exercised substantial diligence in identifying other occurrences in which instruments had been prepared by non-attorneys.
9. That process identified forty instances in which deeds transferring real estate were prepared by a non-attorney, which is the unauthorized practice of law.
10. Respondent Wene has paid \$8,178.62 to several attorneys for their services in correcting errors occurring in the preparation of the deeds identified as not having been prepared by an attorney.
11. The Supreme Court of Ohio has original jurisdiction regarding admission to the practice of law, the discipline of persons so admitted, and all other matters relating to the practice of law, Section 2(B)(1)(g), Article IV, Ohio Constitution; *Royal Indemnity Co vs JC Penney Co* (1986), 27 Ohio St. 3d 31, 27 OBR 447, 501 NE 2d 617.
12. The unauthorized practice of law consists of rendering legal services for another by any person not admitted to practice in Ohio. Gov.Bar R. VII(2)(A).
13. The practice of law includes the preparation of deeds conveying an interest in real estate. *Ohio State Bar Assn. vs Dalton*, 124 Ohio St. 3d 514, 2010-Ohio-619;

in real estate. *Ohio State Bar Assn. vs Dalton*, 124 Ohio St. 3d 514, 2010-Ohio-619; *Land Title Abstract & Trust Co vs Dworleen* (1934) 129 Ohio St 23; *Disciplinary Council vs Doon*, 77 Ohio St. 3d 236, 237.

14. The above circumstances are found to constitute the unauthorized practice of law and are based upon specific evidence and an admission that contains sufficient information to demonstrate the specific activities upon which the conclusions are drawn in compliance with Gov.Bar R. VII(7)(H); and *Cleveland Bar Assn. vs CompManagement, Inc*, 111 Ohio St.3d 444, 2006-Ohio-6108, 857 NE2d 95, at ¶24-26.

The parties further stipulate and agree:

15. Relators' investigating counsel reports to the Board that at the time the initial inquiry occurred, Mr Wene took immediate and appropriate steps to investigate the allegations and discover all occasions upon which deeds had been prepared by non-lawyers working for Reliable.

16. Upon that discovery, Mr Wene engaged counsel to correct the errors which were discovered and paid Attorney Graf \$2,750.00 and Attorney Jorling \$2,500.00 for their reviews. Mr Wene has also reimbursed Amy Ferguson who was identified as preparer without her authority \$2,928.62.

17. Respondents' payments are substantially in excess of the \$4,000.00 derived from the closing fees charged in the 40 closings in which non-attorney deeds were used.

18. Respondent has cooperated fully and without any reservations with the investigation.

19. Respondent fully intends and agrees not to engage in the unauthorized practice of law in the future and has installed new and different systems to prevent reoccurrence of the violations.

20. Respondent has remediated any harm to third parties at his expense.

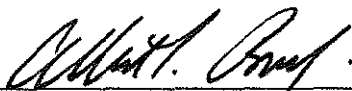
21. In view of Respondent's cooperative and apologetic attitude and effective remediation's of the actual and potential for harm at his expense. Relator does not recommend the imposition of a Civil Penalty.

WAIVER OF NOTICE AND HEARING


Come now the undersigned Relator and Respondent and acknowledge receipt of a copy of the Complaint and waive the notice of its filing thereof.

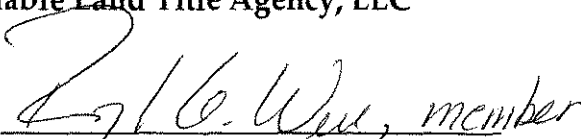
Relator and Respondent further waive hearing in the instant matter and submit it to the Board and the Court for their consideration.

Relator Cincinnati Bar Association

BY: 
Albert T Brown, Jr (#0015355)

Respondent Raymond G Wene
Individually


Raymond G Wene,
and on behalf of
Reliable Land Title Agency, LLC

BY:  member
Raymond G Wene, Member