

# APPLICATION FOR UNITED STATES MAGISTRATE JUDGE

Provide one original and 29 copies by 4:30 p.m., Tuesday, February 8, 2011

Please answer all questions. If a question is not applicable, indicate this by marking "N/A." Return completed form to the Clerk of Court (Attn: Human Resources Department, Carl B. Stokes U.S. Court House, 801 W. Superior Avenue, Cleveland, OH 44113)

## GENERAL

1. Full name: Stephen William Funk
2. All other names by which you have been known: Steve Funk
3. Office address: Roetzel & Andress, 222 S. Main Street, Suite 400  
City Akron State Ohio Zip 44308  
Telephone (330) 849-6602
4. Residential address: 148 Blackberry Drive  
City Hudson State Ohio Zip 44236  
Telephone (330) 342-3990
5. Place of birth: LeMars, Iowa  
Date of birth: August 25, 1966
6. Length of residence in state: 34 years (1967-1988, 1991-1992, 1998-Present)
7. If you are a naturalized citizen, state the date and place of naturalization.  
N/A
8. Military service:  
Branch N/A Dates N/A  
Rank or Rate at Discharge N/A Type of Discharge N/A  
If still a reserve or national guard member, give service, branch, unit, and present rank.
9. Are you related by blood or marriage to any judges of this court?  Yes  No. If yes, give name(s) and relationship.

## HEALTH

10. What is the present state of your health?  
Excellent
11. a. Have you in the last ten years (i) been hospitalized due to injury or serious mental or physical illness or alcohol addiction, or (ii) been prevented from working or otherwise incapacitated for a period in excess of ten days due to injury or illness, drug or alcohol addiction? If so, give the particulars, including the causes, the dates, the places of confinement, and the present status of the conditions which caused the confinement or incapacitation.  
  
No.

b. Do you have any visual or hearing impairment or other mental or physical impairment that would affect your ability to perform the duties of a magistrate judge? If so, please describe the impairment and how your impairment could be accommodated to allow you to perform the duties of a magistrate judge.

No.

#### EDUCATION

12. Colleges and universities attended, dates, and degrees:

Harvard Law School, Cambridge, MA (1988-1991)  
J.D., cum laude, 1991

Miami University, Oxford, Ohio (1984-1988)  
B.A., summa cum laude, 1988

13. Continuing legal education courses completed within the last 10 years:

A list of continuing legal education courses from 1998 through 2010 is attached as Exhibit A.

#### HONORS

14. Were you a member of law review?  Yes  No. If yes, describe role:

15. If you have published any legal books or articles, list them, giving citations and dates.

"Children Born out of Wedlock," Immigration Law, Office of Legal Education Litigation Series (Feb. 2000)  
"Employment Discrimination, Recurring E&O Issues," Coverage (Spring 1994)

16. List any honors, prizes, or awards you have received.

Selected as one of the "Top 100 Ohio Lawyers" in 2011 by Ohio Super Lawyers Magazine  
Selected as an "Ohio Super Lawyer" for Business Litigation in 2011, 2010, and 2009  
Selected as an "Ohio Super Lawyer - Rising Star" for Business Litigation in 2005, 2006, and 2007  
Rated AV Preeminent by Martindale-Hubbell for the past 10 years

#### PROFESSIONAL ADMISSIONS

17. List all courts (including state bar admissions) and administrative bodies having special admission requirements in which you are presently admitted to practice, giving the dates of admission in each case:

Court or Administrative Body

Date of Admission

See List of Professional Admissions attached hereto as Exhibit B.

**LAW PRACTICE**

18. State the names, addresses, and dates of employment for all law firms with which you have been associated in practice, all government agencies, and all private business organizations in which you have been employed. Also provide all dates during which you have practiced as a sole practitioner.

Organization	Address	Position	Dates
Roetzel & Andress, LPA	222 S. Main Street, Suite 400 Akron, Ohio 44308 www.ralaw.com	Partner Associate	2001-Present 1998-2001
U.S. Department of Justice Civil Division Office of Immigration Litigation	P.O. Box 878, Ben Franklin Station Washington, D.C. 20044 www.justice.gov/civil/oil	Senior Litigation Counsel Trial Attorney	1996-1998 1995-1996
Ross, Dixon & Masback (subsequently merged with Troutman, Sanders, LLP)	401 9th Street, N.W., Suite 1000 Washington, D.C. 20004-2134 www.troutmansanders.com/washington_dc	Associate	1992-1994
Judge Ann Aldrich, United States District Court for the Northern District of Ohio	Howard Metzenbaum Courthouse Cleveland, Ohio 44114	Judicial Law Clerk	1991-1992

19. Describe the general nature of your current practice including any legal specialties and character of your typical clients; also, if your practice is substantially different now than previously, give details of prior practice.

My litigation practice focuses on business litigation, public law litigation, constitutional law, appellate law, and land use and zoning law. I have been involved in prosecuting and defending a wide variety of claims, including breach of contract, negligence and other business-related torts, misappropriation of trade secrets, professional malpractice, director and officer liability, environmental liability, and civil rights liability under 42 U.S.C. 1983. I also have prosecuted and defended a number of constitutional challenges to federal, state, and local laws and handled a large number of land use and zoning cases arising from administrative appeals under O.R.C. 2506. My clients have included large corporations, mid-sized to small businesses, financial institutions, public utilities, real estate developers, individuals, municipalities, and other political subdivisions. A listing of representative matters is attached as Exhibit C. Prior to joining Roetzel & Andress in 1998, I was a law clerk for Judge Ann Aldrich and then worked for six years in Washington, D.C. as an attorney for a private law firm and the U.S. Department of Justice. At the Department of Justice, I was involved in both appellate and district court litigation relating to the government's immigration laws, regulations, policies, practices, and decisions. Moreover, as an associate, I was involved in federal court litigation relating to D&O insurance claims for failed savings and loans that were filed by the Resolution Trust Corporation.

20. a) Do you appear regularly in court?  Yes  No.

b) What percentage of your appearances in the last five years were in:

1. Federal courts	<u>30</u>	%
2. State or local courts of record	<u>60</u>	%
3. Administrative bodies	<u>10</u>	%
4. Other:		
_____	_____	%
_____	_____	%
_____	_____	%
_____	_____	%

21. During the past five years, what percentage of your practice has been trial practice? 70 %

22. How frequently have you appeared in court? 2-3 times per month.

23. How frequently have you appeared at administrative hearings? 1 times per month.

24. What percentage of your practice involving litigation has been:

Civil	<u>100</u>	%
Criminal	<u>0</u>	%
Other:		
_____	_____	%
_____	_____	%
_____	_____	%
_____	_____	%

25. State the number of cases you have tried to conclusion in courts of record during the past five years, indicating whether you were sole, associate, or chief counsel. Give citations of any reported cases.

During the past five years, I have tried 5 cases to conclusion. I was lead counsel on 3 of the 5 trials and co-counsel with one of my partners on the other 2 trials.

I have been involved in over 100 reported cases over my legal career. A listing of reported cases from WESTLAW is attached as Exhibit D.

26. Summarize your courtroom experience for the past five years.

I have significant experience in all aspects of civil litigation, including discovery, case management conferences, mediations, settlement conferences, motion practice, evidentiary hearings, bench trials, and jury trials.

I also have significant appellate experience and was recently certified as a specialist in appellate law by the Ohio State Bar Association.

27. State the names and addresses of adversary counsel against whom you have litigated your primary cases over the past five years.

A list of opposing counsel is attached as Exhibit E.

**PUBLIC OFFICE**

28. Have you ever run for, or held, public office?  Yes  No. If yes, give details.

I served as an elected member of the Board of Education for the Hudson City School District from 2004-2006.

**PRIOR JUDICIAL EXPERIENCE**

29. a) Have you ever held judicial office or been a candidate for judicial office? If so, state the courts involved and the dates of service, or dates of candidacy.

No.

b) If you have held judicial office, state the names and addresses of counsel who have appeared before you who would be knowledgeable of your work, temperament, and abilities.

N/A

c) Prior quasi-judicial service:

Name of agency N/A

Position held \_\_\_\_\_

Hearings on what types of issues \_\_\_\_\_

Number of cases adjudicated \_\_\_\_\_

Dates of service \_\_\_\_\_

**BUSINESS INVOLVEMENT**

30. a) If you are now an officer, director, or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment to judicial office.

N/A

b) Since being admitted to the Bar, have you ever engaged in any occupation, business, or profession other than the practice of law?

Yes  No. If yes, give the details, including dates.

c) During the past five years have you received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind?

Yes  No. If yes, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved, and the dates such compensation was paid.

I received minimal compensation for my service on the Hudson Board of Education from 2004 to 2006. Any fees for teaching CLE seminars were paid directly to Community Legal Aid or the Akron Bar Foundation.

31. a) Have you ever been arrested, charged, or convicted for violation of any federal law, state law, county or municipal law, regulation, or ordinance?

Yes  No. If yes, give details. (Do not include traffic violations for which a fine of \$200 or less was imposed unless it also included a jail sentence.)

b) Have you, to your knowledge, ever been under federal, state or local investigation for possible violation of a criminal statute?

Yes  No. If yes, give particulars.

32. a) Have you ever been sued by a client?  Yes  No. If yes, give particulars.

b) Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice?

Yes  No. If yes, give particulars, including the amounts involved.

33. Have you ever been charged in any civil or criminal proceedings with conduct alleged to involve moral turpitude, dishonesty, or unethical conduct?

Yes  No. If yes, give particulars.

34. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group?

Yes  No. If yes, give particulars.

35. Have you filed appropriate tax returns as required by federal, state, local, and other government authorities?

Yes  No. If no, explain.

36. Have any liens or claims ever been instituted against you by the federal, state or local authorities?  Yes  No.

If yes, explain.

**PROFESSIONAL AND OTHER ACTIVITIES**

37. a) List all bar associations and legal professional societies of which you are a member and give the titles and dates of any office you have held in such groups, and committees to which you belonged.

Advisory Group for the Northern District of Ohio (1999-Present)

- Civil Rules Committee (Chair, 2001-2005); (Co-Chair, 2005-Present)

Federal Bar Association (1999-Present) (Member, Board of Directors for the N.D. Ohio Chapter, 2002-2008)

Ohio State Bar Association (1999-Present) (Member, Federal Courts Committee and Appellate Law Committee)

Akron Bar Association (1999-Present) (Elected to 3-year term on the Board of Trustees (2002-2005)

- Federal Court Committee (Chair, 2003-2005, 2010-Present); (Vice-Chair, 2001-2003, 2008-2010)
- University of Akron Liaison Committee (Chair, 2001-2003); (Chair, Mentor Program, 1999-2001)

- b) List all organizations and clubs, other than bar associations and professional societies identified in response to Question No. 37.a), of which you have been a member during the past ten years, including the titles and dates of any offices you have held in each such organization.

Board of Directors for Community Legal Aid Services and Northeast Ohio Legal Services (2010-Present)

"Justice for All Campaign" Fundraising Committee for Community Legal Aid (2008-2010)

Citizens Committee for Hudson Schools (Co-Chair, 2003-2006)

Rejoice Lutheran Church, Hudson, Ohio (Member of Church Council, 2008-2011)

- Chair, Building Committee (2007-2008); Chair, Call Committee (2005)

American Planning Association; Ohio Home Builders Association

**SUPPLEMENTAL INFORMATION**

38. State any achievements or actions you have accomplished, demonstrating your commitment to equal justice under the law.

I am currently a member of the Board of Directors for Community Legal Aid Services, Inc. and Northeast Ohio Legal Services, Inc. I have been active in fundraising efforts for Community Legal Aid as a member of the "Justice for All Campaign" Committee, and have made financial contributions to Community Legal Aid. In law school, I was a member of the Harvard Legal Aid Bureau, where I represented indigent clients in landlord/tenant disputes. I also have accepted pro bono cases in private practice, including the successful representation of a pro bono client in a federal court race discrimination and retaliation jury trial under Title VII of the 1964 Civil Rights Act.

39. State any additional education or other experiences you believe would assist you in holding judicial office.

In addition to my litigation experience, I have experience serving as a mediator as a member of the ADR panel for the Northern District of Ohio. Moreover, I have been involved in teaching a large number of CLE seminars. A more complete description of my mediation and teaching experience is attached as Exhibit F.

40. State any other pertinent information reflecting positively or adversely on you which you believe should be disclosed to the district court and the selection panel in connection with your possible selection as United States magistrate judge.

I have been actively involved in the Akron legal community for the past 12 years. My wife is a tenured Professor of Law at the University of Akron School of Law, and we expect to stay in this area.

41. a) List three individuals as references who are familiar with your abilities.

Name Ronald S. Kopp (Partner)

Address Roetzel & Andress, 222 S. Main Street, Suite 400, Akron, Ohio 44308  
Telephone (330) 849-6644  
Name Donald S. Scherzer (Partner)  
Address Roetzel & Andress, 1375 E. Ninth Street, Cleveland, Ohio 44114  
Telephone (216) 615-7418  
Name Jonathan Coughlan, Ohio Disciplinary Counsel (Client)  
Address 250 Civic Center Drive, Suite #325, Columbus, Ohio 43215  
Telephone (614) 461-0256

b) List three individuals as references who are familiar with your personal character.

Name Amie L. Bruggeman (former Partner)  
Address 12550 N. Upper Ridge Place, Boise, Idaho 83714  
Telephone (208) 229-2277  
Name Professor Richard L. Aynes (former Dean)  
Address University of Akron School of Law, Akron, Ohio 44325-2901  
Telephone (330) 972-6360  
Name Pastor Michael Conklin  
Address Rejoice Lutheran Church, 7855 Stow Road, Hudson, Ohio 44236  
Telephone (330) 653-5980

**CONFIDENTIALITY STATEMENT**

This form will be kept confidential and will be examined only by members of the merit selection panel and the judges of the district court. The individuals whom you have listed as references above may be contacted by the panel, but no other employers, colleagues, or other individuals will be contacted without your prior approval.

I declare under penalty of perjury that the foregoing is true and correct.

Signature of Applicant  Date 2/7/2011

STEPHEN WILLIAM FUNK

ATTORNEY REGISTRATION NUMBER: 58506

ACTIVITY DATE	CODE	ACTIVITY TITLE	SUBST HOURS	ETHICS HOJRS	PROF HOURS	GENERAL HOURS	JFAIR HOURS	NGEN HOURS	NLOM HOURS	NCFM HOURS	NPROF HOURS	TOTAL HOURS
03/26/10	213197	Legal Implications of Zoning De	0.00	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	3.00
04/16/10	213049	Protecting Your Legal Reputatio	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00
05/04/10	214313	70th Sixth Circuit Judicial Con	0.00	0.00	0.00	8.75	0.00	0.00	0.00	0.00	0.00	8.75
09/30/10	218357	Brief Writing & Oral Advocacy	0.00	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	3.00
12/02/10	222614	Federal Court Training Program	0.00	0.00	0.00	0.50	0.00	0.00	0.00	0.00	0.00	0.50
12/03/10	218409	State & Local Government Law	0.00	0.00	0.00	5.00	0.00	0.00	0.00	0.00	0.00	5.00
CLE CREDIT SUBTOTAL												21.25
11/18/10	220324	Fundamentals of Practice in the	0.00	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	3.00
12/02/10	222614	Federal Court Training Program	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
12/03/10	218409	State & Local Government Law	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00
12/09/10	219942	Land Use Law: Current Issues in	0.00	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	3.00
12/14/10	219943	Land Use Law: Current Issues in	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
TEACHING CREDIT SUBTOTAL												9.00

FOR COMPLIANCE PERIOD: 01/01/10 THROUGH 12/31/11

	I	II	III	IV	V
	BEGINNING AMOUNTS	ADJUSTED CREDITS TAKEN THIS PERIOD	TOTAL HOURS TAKEN (SUM OF I AND II)	REQUIRED NUMBER OF HOURS	CARRY FORWARD OR DEFICIENCY AS OF 02/03/2011
SUBSTANCE:	0.00	0.00	0.00	0.50	-0.50 **
ETHICS:	0.00	1.00	1.00	1.00	0.00
PROFESSIONALISM:	0.00	1.00	1.00	1.00	0.00
TOTAL HOURS:	12.00 *	30.25	42.25	24.00	0.00

\* A POSITIVE AMOUNT FOR TOTAL HOURS IN COLUMN I INDICATES CARRY FORWARD INTO THE CURRENT BIENNIUM.

\*\* NEGATIVE AMOUNT IN COLUMN V INDICATES DEFICIENCIES AS OF 02/03/2011.

ACTIVITY		ACTIVITY TITLE	SUBST ETHICS		PROF	GENERAL	JFALR	NGEN	NLOM	NCFM	NPROF	TOTAL
DATE	CODE		HOURS	HOURS	HOURS	HOURS	HOURS	HOURS	HOURS	HOURS	HOURS	HOURS
08/16/06	162681	Practical Guide To Zoning & Lan	0.00	0.00	0.00	2.50	0.00	0.00	0.00	0.00	0.00	2.50
12/15/06	169457	Professionalism, Ethics & Subst	0.50	1.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	2.50
02/27/07	170582	Ohio's Public Records Act & Ope	0.00	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	3.00
05/11/07	175269	Appellate Techniques: Making Yo	0.00	0.00	0.00	5.50	0.00	0.00	0.00	0.00	0.00	5.50
12/21/07	181584	School Law Update Seminar	0.00	0.00	0.00	0.75	0.00	0.00	0.00	0.00	0.00	0.75
CLE CREDIT SUBTOTAL												14.25
03/14/06	159125	Legal Issues Involving OH Local	0.00	1.50	0.00	1.50	0.00	0.00	0.00	0.00	0.00	3.00
03/21/06	159892	Land Use & Zoning Law Litigatio	0.00	1.50	0.00	3.00	0.00	0.00	0.00	0.00	0.00	4.50
08/16/06	162681	Practical Guide To Zoning & Lan	0.00	0.00	0.00	3.50	0.00	0.00	0.00	0.00	0.00	3.50
08/17/06	162682	Practical Guide To Zoning & Lan	0.00	0.00	0.00	3.50	0.00	0.00	0.00	0.00	0.00	3.50
02/27/07	170582	Ohio's Public Records Act & Ope	0.00	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	3.00
05/15/07	173742	Practical Guide to Zoning & Lan	0.00	0.00	0.00	3.25	0.00	0.00	0.00	0.00	0.00	3.25
05/22/07	173743	Practical Guide to Zoning and L	0.00	0.00	0.00	3.25	0.00	0.00	0.00	0.00	0.00	3.25
06/05/07	173367	Land Use & Zoning Law Litigatio	0.00	0.00	0.00	1.75	0.00	0.00	0.00	0.00	0.00	1.75
12/21/07	181584	School Law Update Seminar	0.00	0.00	0.00	0.75	0.00	0.00	0.00	0.00	0.00	0.75
TEACHING CREDIT SUBTOTAL												26.50
(MAXIMUM ALLOWABLE IN THIS PERIOD IS 12.00) (RULE X, SEC. 4 (A) (2) (A) REG 409.2) ADJUSTED SUBTOTAL												12.00

FOR COMPLIANCE PERIOD: 01/01/06 THROUGH 12/31/07

	I		II		III		IV		V	
	BEGINNING AMOUNTS	+	ADJUSTED CREDITS TAKEN THIS PERIOD	+	TOTAL HOURS TAKEN (SUM OF I AND II)	-	REQUIRED NUMBER OF HOURS	-	CARRY FORWARD OR DEFICIENCY AS OF 12/31/2007	
									=	=
SUBSTANCE:	0.00		0.50		0.50		0.50		0.00	
ETHICS:	0.00		4.00		4.00		1.00		0.00	
PROFESSIONALISM:	0.00		1.00		1.00		1.00		0.00	
TOTAL HOURS:	12.00	*	26.25		33.25		24.00		12.00	***

\* A POSITIVE AMOUNT FOR TOTAL HOURS IN COLUMN I INDICATES CARRY FORWARD INTO THE CURRENT BIENNIUM.  
 \*\*\* A POSITIVE AMOUNT FOR TOTAL HOURS IN COLUMN V INDICATES CARRY FORWARD TO YOUR NEXT BIENNIUM.  
 \*\*\* CARRY FORWARD INTO THE NEXT REPORTING PERIOD CANNOT EXCEED 1/2 OF TOTAL HOURS REQUIRED.

STEPHEN WILLIAM FUNK

ATTORNEY REGISTRATION NUMBER: 58506

ACTIVITY DATE	CODE	ACTIVITY TITLE	SUBST HOURS	ETHICS HOURS	PROF HOURS	GENERAL HOURS	JFAIR HOURS	NGEN HOURS	NLOM HOURS	NCFM HOURS	NPROF HOURS	TOTAL HOURS
05/10/04	138800	Practical Guide To Zoning & Lan	0.00	1.00	0.00	2.00	0.00	0.00	0.00	0.00	0.00	3.00
11/12/04	145964	Effective Use Of Modern Technol	0.00	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	3.00
06/07/05	150146	What You Need To Know About Pub	0.00	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	3.00
11/03/05	156474	Take A Killer! Adverse Depositi	0.00	0.00	0.00	6.50	0.00	0.00	0.00	0.00	0.00	6.50
CLE CREDIT SUBTOTAL												15.50
04/01/05	157163	End of Year Ethics II: Professi	0.50	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50
SELF-STUDY CREDIT SUBTOTAL												1.50
05/10/04	138800	Practical Guide To Zoning & Lan	0.00	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	3.00
06/18/04	140679	What You Need to Know About Pub	0.00	0.00	0.00	5.50	0.00	0.00	0.00	0.00	0.00	5.50
12/17/04	144628	Land Use & Zoning Law Litigatio	0.00	0.00	0.00	4.50	0.00	0.00	0.00	0.00	0.00	4.50
05/26/05	147262	Practical Guide To Zoning & Lan	0.00	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	3.00
06/07/05	150146	What You Need To Know About Pub	0.00	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	3.00
TEACHING CREDIT SUBTOTAL												19.00
(MAXIMUM ALLOWABLE IN THIS PERIOD IS 12.00) (RULE X, SEC. 4 (A) (2) (A) REG 409.2)											ADJUSTED SUBTOTAL	12.00

FOR COMPLIANCE PERIOD: 01/01/04 THROUGH 12/31/05

	I	II	III	IV	V
	BEGINNING AMOUNTS	ADJUSTED CREDITS TAKEN THIS PERIOD	TOTAL HOURS TAKEN (SUM OF I AND II)	REQUIRED NUMBER OF HOURS	CARRY FORWARD OR DEFICIENCY AS OF 12/31/2005
SUBSTANCE:	0.00	0.50	0.50	0.50	0.00
ETHICS:	0.00	1.00	1.00	1.00	0.00
PROFESSIONALISM:	0.00	1.00	1.00	1.00	0.00
TOTAL HOURS:	12.00 *	29.00	41.00	24.00	12.00 ***

\* A POSITIVE AMOUNT FOR TOTAL HOURS IN COLUMN I INDICATES CARRY FORWARD INTO THE CURRENT BIENNIIUM.

\*\*\* A POSITIVE AMOUNT FOR TOTAL HOURS IN COLUMN V INDICATES CARRY FORWARD TO YOUR NEXT BIENNIIUM.

\*\*\* CARRY FORWARD INTO THE NEXT REPORTING PERIOD CANNOT EXCEED 1/2 OF TOTAL HOURS REQUIRED.

ACTIVITY		ACTIVITY	SUBST	ETHICS	PROF	GENERAL	JFAIR	NGEN	HLDM	NCFM	NPROF	TOTAL	
DATE	CODE	TITLE	HOURS	HOURS	HOURS	HOURS	HOURS	HOURS	HOURS	HOURS	HOURS	HOURS	
02/08/02	117641	Final Arbiter: U.S. Supreme Cou	0.00	0.00	0.00	7.00	0.00	0.00	0.00	0.00	0.00	7.00	
02/18/03	128896	District 11 Annual Meeting	0.50	1.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	2.50	
05/06/03	129325	Children's Records Law In Ohio	0.00	0.00	0.00	3.25	0.00	0.00	0.00	0.00	0.00	3.25	
06/19/03	130618	What You Need To Know About Pub	0.00	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	3.00	
08/15/03	130299	Practical Guide To Zoning & Lan	0.00	0.50	0.00	2.50	0.00	0.00	0.00	0.00	0.00	3.00	
10/24/03	135078	Annual Bench Bar Conference	0.00	0.00	0.00	6.00	0.00	0.00	0.00	0.00	0.00	6.00	
CLE CREDIT SUBTOTAL												24.75	
02/15/02	116899	Children's Records Law In Ohio	0.00	0.00	0.00	0.50	0.00	0.00	0.00	0.00	0.00	0.50	
05/06/03	129325	Children's Records Law In Ohio	0.00	0.00	0.00	0.50	0.00	0.00	0.00	0.00	0.00	0.50	
05/19/03	130618	What You Need To Know About Pub	0.00	0.00	0.00	4.50	0.00	0.00	0.00	0.00	0.00	4.50	
08/15/03	130299	Practical Guide To Zoning & Lan	0.00	0.00	0.00	4.50	0.00	0.00	0.00	0.00	0.00	4.50	
08/21/03	130300	Practical Guide To Zoning & Lan	0.00	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	3.00	
TEACHING CREDIT SUBTOTAL												13.00	
(MAXIMUM ALLOWABLE IN THIS PERIOD IS 12.00) (RULE X, SEC. 4 (A) (2) (A) REG 409.2)												ADJUSTED SUBTOTAL	12.00

FOR COMPLIANCE PERIOD: 01/01/02 THROUGH 12/31/03

	I	II	III	IV	V
	BEGINNING	ADJUSTED	TOTAL HOURS	REQUIRED	CARRY FORWARD
	AMOUNTS	CREDITS TAKEN	TAKEN (SUM OF	NUMBER OF	OR DEFICIENCY
		THIS PERIOD	I AND II)	HOURS	AS OF
					12/31/2003
SUBSTANCE:	0.00	0.50	0.50	0.50	0.00
ETHICS:	0.00	1.50	1.50	1.00	0.00
PROFESSIONALISM:	0.00	1.00	1.00	1.00	0.00
TOTAL HOURS:	0.50 *	36.75	37.25	24.00	12.00 ***

\* A POSITIVE AMOUNT FOR TOTAL HOURS IN COLUMN I INDICATES CARRY FORWARD INTO THE CURRENT BIENNIIUM.

\*\*\* A POSITIVE AMOUNT FOR TOTAL HOURS IN COLUMN V INDICATES CARRY FORWARD TO YOUR NEXT BIENNIIUM.

\*\*\* CARRY FORWARD INTO THE NEXT REPORTING PERIOD CANNOT EXCEED 1/2 OF TOTAL HOURS REQUIRED.

STEPHEN WILLIAM FUNK

ATTORNEY REGISTRATION NUMBER: 58506

ACTIVITY DATE	ACTIVITY CODE	ACTIVITY TITLE	SUBST HOURS	ETHICS HOURS	PROF HOURS	GENERAL HOURS	JFAIR HOURS	NGEN HOURS	NLOM HOURS	NCFM HOURS	NPROF HOURS	TOTAL HOURS
06/21/00	102526	Judges' Panel Discussion	0.00	0.00	0.00	2.00	0.00	0.00	0.00	0.00	0.00	2.00
10/19/00	104863	Diversity In The Legal Professi	0.00	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	3.00
12/13/00	107262	Annual Institute For Business L	0.00	0.00	0.00	6.50	0.00	0.00	0.00	0.00	0.00	6.50
02/19/01	109137	Annual Bench Bar Conference	0.00	0.00	0.00	6.00	0.00	0.00	0.00	0.00	0.00	6.00
04/26/01	110721	16th. Annual Ohio Environmental	0.50	1.00	1.00	0.25	0.00	0.00	0.00	0.00	0.00	2.75
CLE CREDIT SUBTOTAL												20.25
01/01/01	108957	Evidentiary Issues At Trial	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
09/01/01	114977	Land Use Litigation	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
SELF-STUDY CREDIT SUBTOTAL												2.00
04/26/01	110721	16th. Annual Ohio Environmental	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	1.50
TEACHING CREDIT SUBTOTAL												1.50

FOR COMPLIANCE PERIOD: 01/01/00 THROUGH 12/31/01

	I	II	III	IV	V
	BEGINNING AMOUNTS	ADJUSTED CREDITS TAKEN THIS PERIOD	TOTAL HOURS TAKEN (SUM OF I AND II)	REQUIRED NUMBER OF HOURS	CARRY FORWARD OR DEFICIENCY AS OF 12/31/2001
SUBSTANCE:	0.00	0.50	0.50	0.50	0.00
ETHICS:	0.00	1.00	1.00	1.00	0.00
PROFESSIONALISM:	0.00	1.00	1.00	1.00	0.00
TOTAL HOURS:	0.75 *	23.75	24.50	24.00	0.50 ***

\* A POSITIVE AMOUNT FOR TOTAL HOURS IN COLUMN I INDICATES CARRY FORWARD INTO THE CURRENT BIENNIMUM.  
 \*\*\* A POSITIVE AMOUNT FOR TOTAL HOURS IN COLUMN V INDICATES CARRY FORWARD TO YOUR NEXT BIENNIMUM.

STEPHEN WILLIAM FUNK

ATTORNEY REGISTRATION NUMBER: 58506

ACTIVITY DATE	ACTIVITY CODE	ACTIVITY TITLE	SUBST HOURS	ETHICS HOURS	PROF HOURS	GENERAL HOURS	JFAIR HOURS	NGEN HOURS	HLOM HOURS	NCFM HOURS	NPROF HOURS	TOTAL HOURS
11/11/98	095755	Annual Bench Bar Conference	0.00	0.00	0.00	6.00	0.00	0.00	0.00	0.00	0.00	6.00
10/22/99	037305	Ethics, Professionalism & Substa	0.50	1.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00	2.50
11/12/99	048901	1999 Antitrust Institute	0.00	0.00	0.00	6.25	0.00	0.00	0.00	0.00	0.00	6.25
CLE CREDIT SUBTOTAL												14.75
01/01/99	009353	Convenants Not To Compete:CLE I	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00
10/01/99	098365	Evidence Series Hearsay Attn	0.00	0.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	3.00
SELF-STUDY CREDIT SUBTOTAL												4.00

FOR COMPLIANCE PERIOD: 01/01/98 THROUGH 12/31/99

	I	II	III	IV	V
	BEGINNING AMOUNTS	ADJUSTED CREDITS TAKEN THIS PERIOD	TOTAL HOURS TAKEN (SUM OF I AND II)	REQUIRED NUMBER OF HOURS	CARRY FORWARD OR DEFICIENCY AS OF 12/31/1999
SUBSTANCE:	0.00	0.50	0.50	0.50	0.00
ETHICS:	0.00	1.00	1.00	1.00	0.00
PROFESSIONALISM:	0.00	1.00	1.00	1.00	0.00
TOTAL HOURS:	0.00	18.75	18.75	18.00	0.75 ***

REQUIREMENTS MAY HAVE BEEN PRORATED FOR THIS PERIOD. PLEASE REVIEW YOUR REQUIREMENTS IN COLUMN IV ABOVE!  
 \*\*\* A POSITIVE AMOUNT FOR TOTAL HOURS IN COLUMN V INDICATES CARRY FORWARD TO YOUR NEXT BIENNIAL.

ACTIVE EXEMPTIONS/EXCEPTIONS DURING THIS PERIOD:	START	END	TYPE
	09/28/1998	03/28/1999	Active 2+ Years Inactive
	10/24/1994	09/27/1998	Inactive

Stephen W. Funk  
Application for United States Magistrate Judge  
February 7, 2011

**EXHIBIT B**  
**Professional Admissions**

<b><u>Court</u></b>	<b><u>Dates of Admission</u></b>
U.S. Supreme Court	04/20/1998
U.S. Court of Appeals for the Third Circuit	05/24/1994
U.S. Court of Appeals for the Fourth Circuit	08/28/1995
U.S. Court of Appeals for the Fifth Circuit	03/25/1997
U.S. Court of Appeals for the Sixth Circuit	03/30/1998
U.S. Court of Appeals for the Seventh Circuit	09/01/1995
U.S. Court of Appeals for the Ninth Circuit	02/15/1995
U.S. Court of Appeals for the Tenth Circuit	07/22/1994
U.S. District Court for the Northern District of Ohio	11/25/1998
U.S. District Court for the Southern District of Ohio	04/04/2005
U.S. District Court for the District of Columbia	10/03/1994
Ohio Supreme Court	05/18/1992
District of Columbia Court of Appeals	09/12/1994

Stephen W. Funk  
Application for United States Magistrate Judge  
February 7, 2011

**EXHIBIT C**  
**Representative Matters**

- Obtained two published 6<sup>th</sup> Circuit opinions on behalf of the Ohio Disciplinary Counsel in connection with federal constitutional challenges that were filed in response to disciplinary proceedings commenced under Ohio's Code of Judicial Conduct. *See O'Neill v. Coughlan*, 511 F.3d 638 (6<sup>th</sup> Cir. 2008); *Squire v. Coughlan*, 469 F.3d 551 (6<sup>th</sup> Cir. 2006).
- Defended municipalities and police officers in federal court actions filed under 42 U.S.C. 1983, including a successful jury trial in a wrongful death suit in federal court. *See, e.g., Chappell v. City of Cleveland*, 585 F.3d 901 (6<sup>th</sup> Cir. 2009); *Tomazic v. City of Cleveland*, 2006 WL 2661424 (N.D. Ohio Sept. 14, 2006); *Moore v. City of Cleveland*, 2006 WL 2947052 (N.D. Ohio Oct. 16, 2006); *D'Agastino v. City of Warren*, 175 F. Supp.2d 967 (N.D. Ohio 2001), *rev'd*, 75 Fed. Appx. 990 (6<sup>th</sup> Cir. 2003).
- Prosecuted \$20 million breach of contract action on behalf of public utility that resulted in a successful jury verdict. *EI UK Holdings v. Cinergy UK, Inc.*, 2007-Ohio-237, 2007 WL 162832 (Ohio App. 9 Dist. 2007) (jury trial held upon remand in 2008).
- Defended zoning lawsuit filed against the Akron-Canton Regional Airport to enjoin part of a \$60 million airport runway project. *Reynolds v. Akron-Canton Regional Airport*, 2009-Ohio-567, 2009 WL 321197 (Ohio App. 5 Dist. Feb. 9, 2009).
- Prosecuted challenge to the validity of township zoning resolution under R.C. 519.02 in the Ohio Supreme Court and the Ninth District Court of Appeals. *B.J. Alan Company v. Congress Township*, 124 Ohio St.3d 1, 2009-Ohio-5863, 918 N.E.2d 510 (2009), *opinion upon remand*, 2010-Ohio-6009, 2010 WL 5545405 (Ohio App. 9 Dist. Dec. 29, 2010).
- Prosecuted challenge to the constitutionality of municipal charter amendment under retroactivity clause of the Ohio Constitution. *City of Norton v. Richards*, 2008-Ohio-3868, 2008 WL 2383008 (Ohio App. 9 Dist. Aug. 5, 2009).
- Defended multi-million dollar breach of contract claim relating to the termination of lease agreement. *See Omni Turnpike v. Sheetz*, 2007 WL 2902927 (N.D. Ohio 2007).
- Obtained favorable decisions from the Ohio Supreme Court and Seventh District Court of Appeals regarding the constitutionality of state law amendment to the statutory method for the apportionment of local government funds. *E. Liverpool v. Columbiana Cty. Budget Comm.*, 114 Ohio St.3d 133, 2007-Ohio-3759 (2007); *Satow v. Columbiana Budget Comm.*, 2005-Ohio-5312, 2005 WL 2450165 (Ohio App. 7 Dist. 2005).

- Obtained favorable decision in the Ohio Supreme Court relating to the authority of a local transit authority to lease abandoned railroad lines for commercial use. *Silver Lake v. Metro Regional Transit Authority*, 111 Ohio St.3d 324, 2006-Ohio-5790, 856 N.E.2d 236 (2006).
- Defended the constitutionality of Ohio's E-Check program on behalf of a private contractor who performed motor vehicle emissions testing. *Grendell v. Ohio Environmental Protection Agency*, 146 Ohio App. 3d 1, 764 N.E.2d 1067 (2001).
- Defended multi-million dollar class action for refund of E-Check inspection fees. *Jung v. Envirotech Systems Corp.*, 2006-Ohio-6278, 2006 WL 3446227 (Ohio App. 8 Dist. 2006).
- Defended Board of Directors in lawsuit challenging the removal of a chief executive officer for misappropriation of corporate assets and business opportunities. *Allen v. Bennett*, 2008 -Ohio- 4554 (Ohio App. 9 Dist. Sept. 10, 2008), and 2007-Ohio-5411 (Ohio App. 9 Dist. Oct. 10, 2007).
- Prosecuted school transfer case before the State Board of Education, the Franklin County courts, and the Ohio Supreme Court. *Spitznagel v. State Bd. Of Edn.*, 2008-Ohio-6068, 2008-Ohio-5059 (Ohio App. 10 Dist. 2008), *aff'd*, 126 Ohio St.3d 174, 2010-Ohio-2715, 931 N.E.2d 1061 (June 17, 2010).
- Prosecuted a UCC breach of contract action against a natural gas supplier that resulted in a successful \$2.1 million jury verdict for compensatory damages. Case was settled after jury trial. *Power Resources Operating Co. vs. Sprague Energy Corp.*, Case No. 2003-CV-0108 (Stark Cty. Dec. 2003).
- Defended negligent hiring and retention claim in a successful jury trial on behalf of national security guard company. *Plasti-Kote Co., Inc. v. Securitas Security Services, Inc.*, Case No. 06 CIV 1525 (Medina Cty. Mar. 2008). No appeal was taken.
- Prosecuted multi-million dollar claim for breach of lease agreement against a township, which filed counterclaim to challenge the constitutionality and validity of the annual appropriations lease and the liquidated damages clause therein. *Summit County Port Authority v. Twinsburg Twp.*, Case No. CV 2008-11-8164 (Summit Cty.).
- Prosecuted federal court action for contribution, indemnity, and other damages under federal environmental statutes. *Moraine Properties, LLC v. Ethyl Corp.*, Case No. 3:07 CV 229 (S.D. Ohio).
- Prosecuted federal court challenge to constitutionality of appropriations riders that barred Army Corps of Engineers from processing permit application. *Norton Construction Co. v. U.S. Army Corps of Engineers*, Case No. 1:03 CV 2257 (N.D. Ohio).
- Defended federal court action for breach of contract and negligence arising from the cleaning and inspection of commercial tank trailers. *Distribution Technologies, Inc. v. Quala Systems, Inc.*, Case No. 1:09 CV 0055 (N.D. Ohio).

- Defended federal court action relating to alleged breach of lease agreement for 13 former E-Check testing stations in Greater Cincinnati area. *Ohio Environmental Development LP v. Envirotec Systems Corp.*, Case No. 5:06 CV 0742, 2007 WL 127942 (N.D. Ohio).
- Prosecuted breach of warranty claim in federal court on behalf of municipality that purchased fire safety vehicles from an out-of-state corporation. *City of Stow v. General Safety Equipment LLC*, Case No. 06-CV-1355 (N.D. Ohio).
- Prosecuted breach of contract, negligence, and fraudulent transfer claim arising from a failed underground storage tank that was over-pressurized by a trucking company. *Speedway SuperAmerica LLC v. Emery Transportation, Inc.*, Case No. 01-CV-0344 (Clark Cty.). Case was settled after multi-party mediation.
- Prosecuted and defended federal and state court actions relating to the theft of trade secrets and the enforcement of non-competition and non-solicitation agreements. See, e.g., *United General Ins. Co. v. Flowers*, 1:06-cv-0650 (N.D. Ohio); *Guardian Title & Guaranty Agency v. Areddy, et al.*, Case No. 1:02-CV-610 (N.D. Ohio); *Marsh & McLennan Cos., Inc. v. Riley*, Case No. CV-0351122 (Cuyahoga Cty.).
- Defended shareholder derivative claims that were filed against Board of Directors for major corporations. See, e.g., *In re Jo-Ann Stores, Inc. Shareholder Litigation*, No. 2010-12-8510 (Summit Cty.); *Stagliano v. Alexander, et al.*, Summit County Common Pleas Case No. CV 2003-10-6222 (Summit Cty.); *In re Telxon Corp. Securities Litig.*, 5:98-CV-2876 (N.D. Ohio).
- Prosecuted and defended claims for judicial dissolution of closely-held corporations and other shareholder disputes. See, e.g., *Williams v. Skycasters, LLC*, Case No. CV 2004-01-0012 (Summit Cty.); *Puritas Metal Products v. Cook*, Case No. 10-CA-009866 (Ohio App. 9 Dist. Lorain Cty); *Pacemaker Plastics Co. v. AFM Corp.*, 139 F. Supp.2d 851 (N.D. Ohio 2001).
- Prosecuted multiple cases and appeals involving constitutional challenges to local zoning ordinances. See, e.g., *State ex rel. Boston Hills Property Invests., LLC v. City of Boston Heights*, 2008 WL 4572540, 2008-Ohio-5329 (Ohio App. 9 Dist. Oct. 15, 2008); *Prakash v. Copley Township*, 2003 WL 294365, 2003-Ohio-642 (Ohio App. 9 Dist. Feb. 12, 2003); *Baur v. City of Wadsworth*, Case No. 00-CV-0403 (Medina Cty.).
- Prosecuted a large number of zoning hearings and administrative appeals on behalf of commercial developers and private landowners. See, e.g., *Eastside Development, Inc. v. City of Norton*, 2010-04-2981 (Summit Cty.); *Brecksville Road Assoc. v. Richfield Twp. Bd. Of Zoning Appeals*, 2009-05-4091 (Summit Cty.); *Sheetz, Inc. v. City of Kent Board of Zoning Appeals*, Case No. 2008 CV 01741 (Portage Cty.); *Wadsworth Twp. Bd. Of Trustees v. Medina Cty. Bd. Of Commissioners*, 2008-Ohio-5653, 2008 WL 4766788 (Ohio App. 9 Dist. Nov. 3, 2008); *Neighbors for Responsible Land Use v. City of Akron*, 2006-Ohio-6966, 2006 WL 3825153 (Ohio App. 9 Dist. Dec. 29, 2006); *City of Macedonia v. Twinsburg Twp. Bd. Of Trustees*, 2006-Ohio-2688, 2006 WL 1479041

(Ohio App. 9 Dist. 2005); *Dinks II Co., Inc. v. Chagrin Falls Village Council*, 2005-Ohio-2317, 2005 WL 1118160 (Ohio App. 8 Dist. May 12, 2005); *Marsillo v. Stow City Council*, 2005-Ohio-473, 2005 WL 293522 (Ohio App. 9 Dist. Feb. 9, 2005); *Douglass v. Copley Twp. Bd. Of Zoning Appeals*, 2004-Ohio-6765, 2004 WL 2902384 (Ohio App. 9 Dist. Dec. 15, 2004).

- Prosecuted and defended eminent domain and takings cases in state court. *City of Norton v. Adams*, Probate Ct. Case No. 2008 CV 0030 (Summit Cty.).
- Prosecuted breach of easement and other real property claims on behalf of public utility. *Ohio Edison Co. v. Wilkes*, No. 2009-CV-1280 (Mahoning Cty.); *Ohio Edison v. Starboard Hospitality*, 2007-01-0171 (Summit Cty.).
- Prosecuted Section 1983 zoning claim in federal court to enjoin township from eliminating zoning for proposed automobile dealership. *Stile v. Copley Twp.*, 115 F. Supp.2d 854 (N.D. Ohio 2000).
- Defended a local school district in a bench trial that sought to enjoin the construction of new modular classroom based upon an alleged zoning violation. *Murdock v. Council of City of Hudson*, Case No. CV 2001-06-2723 (Summit Cty.).

QUERY - AT("STEPHEN W. FUNK" OR "STEVEN W. FUNK") DATABASE(S) - ALLCASES

1. **H** B.J. Alan Co. v. Congress Twp. Bd. of Zoning Appeals,  
Slip Copy, 2010 WL 5545405, 2010 -Ohio- 6449, Ohio App. 9 Dist., December 29, 2010 (NO. 07CA0051)

...areas. Appeal from Judgment Entered in the Court of Common Pleas, County of Wayne, Ohio, Case No. 06-CV-0821. **Stephen W. Funk**, and Paul Lombardi, Attorneys at Law, for appellants. Timothy M. Burke, and Emily T. Supinger, Attorneys at Law, for appellees...
2. **H** Spitznagel v. State Bd. of Edn.,  
126 Ohio St.3d 174, 931 N.E.2d 1061, 2010 WL 2430984, 258 Ed. Law Rep. 1237, 2010 -Ohio- 2715, Ohio, June 17, 2010 (NO. 2009-0015, 4461)

...faculty cutbacks. (Per Lundberg Stratton, J., with two justices concurring and one justice concurring in judgment only.) Roetzel & Andress, L.P.A., **Stephen W. Funk**, and David R. Harbarger, Cleveland, for appellants. Richard Cordray, Attorney General, Benjamin C. Mizer, Solicitor General, Alexandra T. Schimmer, Chief...
3. **C** Horton Archery, LLC v. American Hunting Innovations, LLC,  
Not Reported in F.Supp.2d, 2010 WL 395572, N.D. Ohio, January 27, 2010 (NO. 5:09CV1604)

...Kenner, Greive, Bobak, Taylor & Weber, Akron, OH, for Horton Archery LLC. Brett J. Trout, Des Moines, IA, John J. Rutter **Stephen W. Funk**, Roetzel & Andress, Akron, OH, for Defendants. MEMORANDUM OPINION AND ORDER SARA LIOI, District Judge. This memorandum opinion and order arises...
4. **H** State ex rel. N. Canton v. Stark Cty. Bd. of Cty. Commrs.,  
Slip Copy, 2009 WL 5154475, 2009 -Ohio- 6942, Ohio App. 5 Dist., December 28, 2009 (NO. 2009-CA-00132)

...A. Flint, Columbus, OH, for-appellant-City of North Canton. Christopher J. Goldthorpe, Hartsville, OH, for-appellant-Dan J. Fosnaught. **Stephen W. Funk**, Akron, OH, for-appellee-Metro Regional Transit. GWIN, J. {¶ 1} Plaintiffs-Relators/ appellants the City of North Canton, Ohio...
5. **H** Allen v. Bennett,  
Slip Copy, 2009 WL 3837469, 2009 -Ohio- 6076, Ohio App. 9 Dist., November 18, 2009 (NO. 24629, 24649)

...Ohio, Case Nos. CV 2005-01-0036, CV 2005-04-2565. William Jacobs Brian J. Lamb Richard S. Mitchell, and **Stephen W. Funk**, Attorneys at Law, for appellants/cross-appellees. Scott H. Rupert Adam Eberts Jeffrey J. Wedel, Attorneys at Law, for appellees...

6. **H** B.J. Alan Co. v. Congress Twp. Bd. of Zoning Appeals,  
124 Ohio St.3d 1, 918 N.E.2d 501, 2009 WL 3837336, 2009 -Ohio- 5863, Ohio, November 12, 2009  
(NO. 4306, 2008-0306)  
  
...for the county, and demonstrated an intent to include township within its purview. R.C. § 519.02  
Roetzel & Andress, L.P.A., Stephen W. Funk , and Paul W. Lombardi , Akron, for appellees. Man-  
ley Burke, L.P.A., Timothy M. Burke Emily T. Supinger , Cincinnati, and Daniel J...
7. **P** Chappell v. City Of Cleveland,  
585 F.3d 901, 2009 WL 3617475, C.A.6 (Ohio), November 04, 2009 (NO. 08-4456)  
  
...in determining whether officers had probable cause to use deadly force once they entered the bed-  
room. U.S.C.A. Const.Amend. 4 ARGUED: Stephen W. Funk , Roetzel & Andress, Akron, Ohio,  
for Appellants. Terry H. Gilbert , Friedman & Gilbert, Cleveland, Ohio, for Appellee. ON BRIEF:  
Stephen W. Funk Aretta Bernard , Roetzel & Andress, Akron, Ohio, W. Craig Bashein , Bashein &  
Bashein Co., Cleveland, Ohio, for Appellants. Terry H. Gilbert Gordon...
8. **H** Norton v. Richards,  
Slip Copy, 2009 WL 2383008, 2009 -Ohio- 3868, Ohio App. 9 Dist., August 05, 2009 (NO. 24557)  
  
...2008 11 8320. Robert W. Heydorn , and John M. Herrnstein , Attorneys at Law, for interve-  
nor/appellant. Peter M. Kostoff , and Stephen W. Funk , Attorneys at Law, for appellee. James A.  
Merlitti , Attorney at Law, for defendants. WHITMORE , Judge. {¶ 1} Intervenor-Appellant, Char-  
lotte...
9. Lee v. Scaldini,  
Slip Copy, 2009 WL 1485820, 2009 -Ohio- 2486, Ohio App. 8 Dist., May 28, 2009 (NO. 91535)  
  
...relief. Civil Appeal from the Cuyahoga County Court of Common Pleas, Case Nos. CV-640795,  
CV-644109, and CV-657592. Stephen W. Funk Lewis W. Adkins, Jr. , Roetzel & Andress, LPA,  
Cleveland, OH, Paul W. Lombardi , Roetzel & Andress, LPA, Akron, Ohio, for Appellants. Gerald...
10. **H** Shumaker, Loop & Kendrick, LLP v. Zaremba,  
403 B.R. 480, 2009 WL 817265, N.D. Ohio, March 30, 2009 (NO. 3:08 CV 1855)  
  
...Singer John K. Villa John S. Williams Katherine Leong , Williams & Connolly, for Appellant.  
Bruce R. Schrader, II John W. Becker Stephen W. Funk , Roetzel & Andress, Akron, OH, John P.  
Donahue , Donahue & Nunnari, Perrysburg, OH, Patricia B. Fugee , Roetzel & Andress, Thomas A.  
Matuszak, II...
11. **H** In re Continental Capital Inv. Services, Inc.,  
Slip Copy, 2009 WL 1616108, Bkrtcy.N.D. Ohio, March 06, 2009 (NO. ADV. 03-3370, ADV. 06-  
3505)

...06-3505. March 6, 2009. Anthony J. Calamunci Bruce R. Schrader, II Patricia B. Fugee , Toledo, OH, John W. Becker Stephen W. Funk , Akron, OH, George W. Rooney, JR. , Cleveland, OH, John P. Donahue , Perrysburg, OH, for Plaintiff(s). Craig D. Singer John...

12. **H** In re Continental Capital Inv. Services, Inc.,  
Slip Copy, 2009 WL 1661918, Bkrtcy.N.D.Ohio, March 06, 2009 (NO. ADV 03-3370, ADV 06-3505)

...3505. March 6, 2009. Anthony J. Calamunci , Roetzel & Andress, Patricia B. Fugee , Toledo, OH, Bruce R. Schrader, II , Roetzel & Andress, Stephen W. Funk , Akron, OH, George W. Rooney, Jr. , Cleveland, OH, John P. Donahue , Perrysburg, OH, for Plaintiff(s). Craig D. Singer John...

13. **H** Reynolds v. Akron-Canton Regional Airport Authority,  
Slip Copy, 2009 WL 321197, 2009 -Ohio- 567, Ohio App. 5 Dist., February 09, 2009 (NO. 2008CA00143)

...from the Court of Common Pleas, Case No.2008CV01617. Craig T. Conley , Canton, OH, for plaintiff-appellant. Randall J. Moore Stephen W. Funk , Akron, OH, for defendants-appellees. FARMER , P.J. {¶ 1} On April 10, 2008, appellant, Christopher Reynolds, filed an amended complaint..

14. **H** Spitznagel v. State Bd. of Edn.,  
Not Reported in N.E.2d, 2008 WL 4966491, 2008 -Ohio- 6080, Ohio App. 10 Dist., November 20, 2008 (NO. 07AP-757)

...Defendants-Appellees. No. 07AP-757. Decided Nov. 20, 2008. On Application for Reconsideration Roetzel & Andress, LPA, David R. Harbarger , and Stephen W. Funk , for appellants. Nancy H. Rogers , Attorney General, and Reid T. Caryer , for appellee Ohio State Board of Education. Squire, Sanders...

15. **H** Wadsworth Twp. of Trustees v. Medina Cty. Bd. of Commrs.,  
Slip Copy, 2008 WL 4766788, 2008 -Ohio- 5653, Ohio App. 9 Dist., November 03, 2008 (NO. 08CA0020-M)

...709.02 Appeal from Judgment Entered in the Court of Common Pleas County of Medina, Ohio, Case No. 06CIV 1262. Steven W. Funk , Attorney at Law, for Appellant. Dean Holman , Prosecuting Attorney, and Katharina E. Devanney , Assistant Prosecuting Attorney, for Appellee. DECISION AND...

16. **H** Shumaker, Loop & Kendrick, LLP v. Zarembo,  
Not Reported in F.Supp.2d, 2008 WL 4656914, N.D.Ohio, October 21, 2008 (NO. 3:08 CV 1855)

...LOOP & KENDRICK, LLP, Appellant, v. Thomas S. ZAREMBA, Appellee. No. 3:08 CV 1855.

Oct. 21, 2008. John W. Becker Stephen W. Funk Bruce R. Schrader, II Roetzel & Andress, Akron, OH, John P. Donahue , Donahue & Nunnari, Perrysburg, OH, Patricia B. Fugee Thomas A...

17. C State ex rel. Boston Hills Property Invests., L.L.C. v. Boston Hts., Slip Copy, 2008 WL 4572540, 2008 -Ohio- 5329, Ohio App. 9 Dist., October 15, 2008 (NO. 24205)

...Common Pleas, County of Summit, Ohio, Case No. CV 2007-07-4696. Kenneth J. Fisher , Attorney at Law, for appellant. Stephen W. Funk , Attorney at Law, Sheldon I. Berns and Gary F. Werner , Attorneys at Law, John T. McLandrich , and Frank H. Scialdone...

18. P Spitznagel v. State Bd. of Edn., Not Reported in N.E.2d, 2008 WL 4416659, 2008 -Ohio- 5059, Ohio App. 10 Dist., September 30, 2008 (NO. 07AP-757)

...89-03 (B)(7). Appeal from the Franklin County Court of Common Pleas Roetzel & Andress, LPA, David R. Harbarger , and Stephen W. Funk , for appellants. Nancy H. Rogers , Attorney General, and Reid T. Caryer , for appellee Ohio State Board of Education. Squire, Sanders...

19. P Chappell v. City of Cleveland, 584 F.Supp.2d 974, 2008 WL 4533675, N.D. Ohio, September 30, 2008 (NO. 1:06CV2135)

...S. Friedman Terry H. Gilbert , Friedman & Gilbert, Kenneth A. Bossin , Cleveland, OH, for Plaintiff. Aretta K. Bernard Mariam A. Shah Stephen W. Funk , Roetzel & Andress, Akron, OH, Lewis W. Adkins, Jr. , Roetzel & Andress, Patrick A. D'Angelo , Patrick A. D'Angelo, LLC, Paul W. Flowers...

20. H Allen v. Bennett, Slip Copy, 2008 WL 4151323, 2008 -Ohio- 4554, Ohio App. 9 Dist., September 10, 2008 (NO. 24124)

...01 0036. William Jacobs Brian J. Lamb , and Michele K. Abraham , Attorneys at Law, for Appellant. Richard S. Mitchell and Stephen W. Funk , Attorneys at Law, for Appellants. Scott H. Rupert and Louise M. Mazur , Attorneys at Law, for Appellee. Jeffrey J. Webel...

21. P O'Neill v. Coughlan, 511 F.3d 638, 2008 WL 80553, 2008 Fed.App. 0009P, C.A.6 (Ohio), January 09, 2008 (NO. 07-3206)

...doctrine in judge's federal-court free speech challenge to enforcement of judicial canons cited in grievance. U.S.C.A. Const.Amend. I ARGUED: Stephen W. Funk , Roetzel & Andress, Akron, Ohio, for Appellant. J. Michael Murray , Berkman, Gordon, Murray & Devan, Cleveland, Ohio, for Appellee. ON BRIEF: Stephen W. Funk , Roetzel & Andress, Akron, Ohio, for Appellant. J. Michael Murray Raymond V. Vasvari, Jr. , Berkman, Gordon, Murray & Devan, Cleveland, Ohio, for..

22. **P** B.J. Alan Co. v. Congress Tp. Bd. of Zoning Appeals,  
Not Reported in N.E.2d, 2007 WL 4554187, 2007 -Ohio- 7023, Ohio App. 9 Dist., December 28,  
2007 (NO. 07CA0051)  
  
...2007. Appeal from Judgment Entered in the Court of Common Pleas County of Wayne, Ohio,  
Case No. 06-CV-0821. **Stephen W. Funk** and Paul W. Lombardi , Attorneys at Law, for appellants.  
Martin Frantz , Prosecuting Attorney, and Katherine Gallagher , Assistant Prosecuting Attorney,  
for...
23. **H** Chappel v. City of Cleveland,  
Not Reported in F.Supp.2d, 2007 WL 3353901, N.D. Ohio, November 09, 2007 (NO. 1:06CV2135)  
  
...Andress, Patrick A. D'Angelo Paul W. Flowers W. Craig Bashein , Bashein & Bashein, Cleveland,  
OH, Aretta K. Bernard Mariam A. Shah **Stephen W. Funk** , Roetzel & Andress, Akron, OH, for  
Defendants. ORDER KATHLEEN McDONALD O'MALLEY , District Judge. Currently before the  
Court is Plaintiff's Motion to...
24. **H** Allen v. Bennett,  
Not Reported in N.E.2d, 2007 WL 2935879, 2007 -Ohio- 5411, Ohio App. 9 Dist., October 10, 2007  
(NO. 23570, 23573, 23576)  
  
...In The Court of Common Pleas County of Summit, Ohio, Case No. CV 2005 01 0036. Richard S.  
Mitchell and **Stephen W. Funk** , Attorneys at Law, for Appellants. William Jacobs Brian J. Lamb ,  
and Michele T. Kryszak , Attorneys at Law for Appellant/Cross...
25. Omni Turnpike, LLC v. Sheetz, Inc.,  
Not Reported in F.Supp.2d, 2007 WL 2902927, N.D. Ohio, September 28, 2007 (NO. 5:05CV1711)  
  
...2007. Scott S. Weltman Sara M. Donnersbach , Weltman, Weinberg & Reis, Cleveland, OH, for  
Plaintiff. Mariam A. Shah Ronald S. Kopp **Stephen W. Funk** , Roetzel & Andress, Akron, OH, for  
Defendant. MEMORANDUM OF OPINION AND ORDER [RESOLVING DOCS: 21 and 23] AD-  
AMS , J. This breach...
26. **P** E. Liverpool v. Columbiana Cty. Budget Comm.,  
114 Ohio St.3d 133, 870 N.E.2d 705, 2007 WL 2141640, 2007 -Ohio- 3759, Ohio, August 08, 2007  
(NO. 2006-1129, 3312)  
  
...C), 5747.63 (C). Vorys, Sater, Seymour & Pease L.L.P., John Kulewicz , and John Varanese , Co-  
lumbus, for appellant. Roetzel & Andress and **Stephen W. Funk** , Akron, for appellees Columbiana  
County, Butler Township, Center Township, Elkrun Township, Fairfield Township, Franklin Town-  
ship, Hanover Township, Knox Township, Liverpool...
27. **H** Republic Engineered Products, Inc. v. Euler American Credit Indemnity Co.,

Not Reported in F.Supp.2d, 2007 WL 1795951, N.D.Ohio, June 20, 2007 (NO. 5:05CV2852)

...June 20, 2007. Lucy K. O'Shaughnessy R. Jeffrey Pollock McDonald Hopkins , Cleveland, OH, for Plaintiff. Ronald S. Kopp Roetzel & Andress **Stephen W. Funk** , Akron, OH, Jerrold A. Thrope Gordon, Feinblatt, Rothman, Hoffberger & Hollander , Baltimore, MA, for Defendant. ORDER AND DECISION JOHN R. ADAMS...

28. **H** Bd. of State Teachers Retirement Sys. of Ohio v. Medco Health Solutions, Inc.,  
113 Ohio St.3d 1256, 866 N.E.2d 1, 2007 WL 1375881, 2207 -Ohio- 2206, Ohio, May 23, 2007  
(NO. 2006-2169, 2006-2170, 2006-2171)

...Chesley Paul M. DeMarco , Cincinnati, Robert Heuck II , and W.B. Markovits , for appellee. Roetzel & Andress, L.P.A. Ronald S. Kopp , and **Stephen W. Funk** , Akron, for appellants Medco Health Solutions, Inc., and affiliated companies, and Merck & Co., Inc. Thompson Hine, L.L.P. Earle Jay Maiman...

29. **▷** State ex rel. Bd. of State Teachers Retirement Sys. of Ohio v. Davis,  
113 Ohio St.3d 410, 865 N.E.2d 1289, 2007 WL 1374963, 2007 -Ohio- 2205, Ohio, May 23, 2007  
(NO. 2006-2006, 2006-2172, 2006-2173)

...Schaefer and Colleen McCarren , Assistant Prosecuting Attorneys, for appellant Judge David P. Davis. Roetzel & Andress, L.P.A. Ronald S. Kopp , and **Stephen W. Funk** , Akron, for appellants Medco Health Solutions, Inc. and affiliated companies, and Merck & Co., Inc. PER CURIAM. {¶ 1}  
This is...

30. **▷** Per-Co, Ltd. v. Great Lakes Factors, Inc.,  
509 F.Supp.2d 642, 2007 WL 1235668, N.D.Ohio, April 26, 2007 (NO. 3:06CV00979)

...business formed the acquiring corporation to benefit themselves and protect the corporation's stock from attachment by creditors. Patricia B. Fugee **Stephen W. Funk** , Roetzel & Andress, Patrick B. Cavanaugh , Kitch Drutchas Wagner Valitutti & Sherbrook, Toledo, OH, for Plaintiff. Howard B. Hershman , Gressley, Kaplin & Parker...

31. **H** Ohio Environmental Development Ltd. Partnership v. Envirotec Systems Corp.,  
478 F.Supp.2d 963, 2007 WL 789521, N.D.Ohio, March 14, 2007 (NO. 506-CV-742)

...sale of lessee's stock. Gregory J. Degulis Stephen H. Daniels Michael S. McMahon McMahon DeGulis, LLP , Cleveland, OH, for Plaintiff. **Stephen W. Funk** Roetzel & Andress , Toledo, OH, Thomas M. Skove, Jr. Roetzel & Andress , Cleveland, OH, for Defendant. ORDER & OPINION GWIN , District Judge. On...

32. **H** Republic Engineered Products, Inc. v. Euler American Credit Indem. Co.,  
Not Reported in F.Supp.2d, 2007 WL 315515, N.D.Ohio, January 30, 2007 (NO. 5:05CV2852)

...5:05CV2852. Jan. 30, 2007. Lucy K. O'Shaughnessy R. Jeffrey Pollock McDonald Hopkins , Cleveland, OH, for Plaintiff. Ronald S. Kopp Stephen W. Funk Roetzel & Andress , Akron, OH, Jerrold A. Thrope Gordon, Feinblatt, Rothman, Hoffberger & Hollander , Baltimore, MA, for Defendant. ORDER AND DECISION JOHN...

33. **P** O'Neill v. Coughlan,  
Not Reported in F.Supp.2d, 2007 WL 218717, N.D. Ohio, January 26, 2007 (NO. 104-CV-1612)

...26, 2007. J. Michael Murray Raymond V. Vasvari, Jr. Steven D. Shafron Berkman, Gordon, Murray & Devan , Cleveland, OH, for Plaintiff. Stephen W. Funk Roetzel & Andress , Akron, OH, for Defendant. MEMORANDUM AND ORDER ANN ALDRICH , United States District Judge. Before the court are cross...

34. **H** El UK Holdings, Inc. v. Cinergy UK, Inc.,  
Not Reported in N.E.2d, 2007 WL 162832, 2007 -Ohio- 237, Ohio App. 9 Dist., January 24, 2007 (NO. 23216)

...in the Court of Common Pleas County of Summit, Ohio Case No. CV 2004-03-1681. Ronald S. Kopp and Stephen W. Funk , Attorneys at Law, for appellant. Amy B. Spiller Catherine B. Stempien John L. Reyes , and Michael J. Matasich , Attorneys at...

35. Bauman v. City of Cleveland,  
Not Reported in F.Supp.2d, 2007 WL 171972, N.D. Ohio, January 18, 2007 (NO. 1:04 CV 1757)

...18, 2007. Mark Schlachet , Cleveland, OH, for Plaintiff. L. Stewart Hastings, Jr. City of Cleveland , Department of Law, Cleveland, OH, Stephen W. Funk Roetzel & Andress , Akron, OH, for Defendant. ORDER PETER C. ECONOMUS , United States District Judge. This matter is before the Court...

36. **H** Ohio Environmental Development Ltd. Partnership v. Envirotec Systems Corp.,  
Not Reported in F.Supp.2d, 2007 WL 127942, N.D. Ohio, January 11, 2007 (NO. 5:06-CV-742)

...06-cv-742. Jan. 11, 2007. Gregory J. Degulis Michael S. McMahon McMahon, Degulis, Hoffmann & Blumenthal , Cleveland, OH, for Plaintiff. Stephen W. Funk Roetzel & Andress , Akron, OH, Thomas M. Skove, Jr. Roetzel & Andress , Cleveland, OH, for Defendant. ORDER & OPINION [Resolving Docs. 31, 33...

37. **H** Neighbors for Responsible Land Use v. Akron,  
Not Reported in N.E.2d, 2006 WL 3825153, 2006 -Ohio- 6966, Ohio App. 9 Dist., December 29, 2006 (NO. 23191)

...Director of Law, Deborah M. Forfia and Stephanie H. York , Assistant Directors of Law, for Appellees. Amie L. Bruggeman and Stephen W. Funk , Attorneys at Law, for Appellees. DECISION AND JOURNAL ENTRY This cause was heard upon the record in the trial court...

38. **H** Jung v. Envirotest Sys. Corp.,  
Not Reported in N.E.2d, 2006 WL 3446227, 2006 -Ohio- 6278, Ohio App. 8 Dist., November 30, 2006 (NO. 87604)
- ...Flowers Co., L.P.A. W. Craig Bashein Bashein & Bashein E. Tasso Paris Paris & Paris , Cleveland, OH, for appellants. Thomas M. Skove **Stephen W. Funk** Roetzel & Andress , Akron, OH, for appellee. James Petro , Ohio Attorney General, by Karla G. Perrin , Assistant Attorney General, Environmental Enforcement...
39. **P** Squire v. Coughlan,  
469 F.3d 551, 2006 WL 3408187, 2006 Fed.App. 0440P, C.A.6 (Ohio), November 28, 2006 (NO. 05-4513)
- ...disciplinary board. U.S.C.A. Const.Amend. 5 42 U.S.C.A. § 1983 ARGUED: Percy Squire Percy Squire Co. , LLC, Columbus, Ohio, for Appellant. **Stephen W. Funk** , Roetzel & Andress, LPA, Akron, Ohio, for Appellee. ON BRIEF: Percy Squire Percy Squire Co. , LLC, Columbus, Ohio, for Appellant. **Stephen W. Funk** , Roetzel & Andress, LPA, Akron, Ohio, for Appellee. Before: GILMAN and GRIFFIN , Circuit Judges; HEYBURN , Chief District Judge. FN\* The Honorable...
40. **H** Silver Lake v. Metro Regional Transit Auth.,  
111 Ohio St.3d 324, 856 N.E.2d 236, 2006 WL 3247247, 2006 -Ohio- 5790, Ohio, November 22, 2006 (NO. 2005-1074)
- ...Heights; and Hoover, Heydorn & Herrmstein Co., L.P.A. , and Robert W. Heydorn , Cuyahoga Falls, for appellant. Roetzel & Andress Amie L. Bruggeman **Stephen W. Funk** , Akron, and Caroline Regallis , for appellee. Lawrence Gawell , Cleveland, for amicus curiae Ohio Public Transit Association. Max Rothal , Akron Director...
41. **H** Quality Internatl. Ents., Inc. v. IFCO Sys. N. Am., Inc.,  
Not Reported in N.E.2d, 2006 WL 3208589, 2006 -Ohio- 5883, Ohio App. 9 Dist., November 08, 2006 (NO. 23131)
- ...Common Pleas, County of Summit, Ohio, Case No. CV-2005-07-4110. Steven W. Mastrantonio , Attorney at Law, for Appellant. **Stephen W. Funk** and Paul W. Lombardi , Attorneys at Law, for Appellee. DECISION AND JOURNAL ENTRY This cause was heard upon the record...
42. **C** Moore v. City of Cleveland,  
Not Reported in F.Supp.2d, 2006 WL 2947052, N.D.Ohio, October 16, 2006 (NO. 1:03-CV-01258)
- ...John W. Martin Andreas Petropouleas , Cleveland, OH, for Plaintiff. Thomas J. Kaiser Natalie L. Peterson Department of Law , Cleveland, OH, **Stephen W. Funk** Roetzel & Andress , Akron, OH, for Defendants. MEMORANDUM AND ORDER ANN ALDRICH , District Judge. Before the court is the Report and...

43. **H** Tomazic v. City of Cleveland,  
Not Reported in F.Supp.2d, 2006 WL 2661295, N.D.Ohio, September 14, 2006 (NO. 1:04CV2252)  
  
...Plaintiff. Joseph G. Hajjar Joseph F. Scott City of Cleveland Department of Law , Cleveland, OH,  
Caroline Regallis Mariam A. Shah **Stephen W. Funk** Roetzel & Andress , Akron, OH, for Defen-  
dants. MEMORANDUM OPINION AND ORDER NUGENT , J. This matter is before the Court on  
Defendant...
44. **H** Tomazic v. City of Cleveland,  
Not Reported in F.Supp.2d, 2006 WL 2661424, N.D.Ohio, September 14, 2006 (NO. 1:04 CV 2252)  
  
...Cleveland, OH, for Plaintiff. Joseph G. Hajjar Joseph F. Scott Department of Law , Cleveland,  
OH, Caroline Regallis Mariam A. Shah **Stephen W. Funk** Roetzel & Andress , Akron, OH, for De-  
fendants. MEMORANDUM OPINION AND ORDER NUGENT , J. This matter is before the Court  
on Defendant...
45. **H** Tomazic v. City of Cleveland,  
Not Reported in F.Supp.2d, 2006 WL 2612736, N.D.Ohio, September 11, 2006 (NO. 1:04 CV 2252)  
  
...Plaintiff. Joseph G. Hajjar Joseph F. Scott City of Cleveland Department of Law , Cleveland, OH,  
Caroline Regallis Mariam A. Shah **Stephen W. Funk** Roetzel & Andress , Akron, OH, for Defen-  
dants. Memorandum Opinion and Order NUGENT , J. This matter is before the Court on Defen-  
dant...
46. **H** O'Neill v. Coughlan,  
436 F.Supp.2d 905, 2006 WL 1704979, N.D.Ohio, June 16, 2006 (NO. 1:04CV1612)  
  
...Younger abstention. J. Michael Murray Raymond V. Vasvari, Jr. Steven D. Shafron Berkman,  
Gordon, Murray & Devan , Cleveland, OH, for Plaintiff. **Stephen W. Funk** Roetzel & Andress ,  
Akron, OH, D. Michael Grodhaus Holly J. Hunt Office of Atty. Gen , Cleveland, OH, for Defendant  
MEMORANDUM AND...
47. **H** City of Macedonia v. Twinsburg Tp. Bd. of Zoning Appeals,  
Not Reported in N.E.2d, 2006 WL 1479041, 2006 -Ohio- 2688, Ohio App. 9 Dist., May 31, 2006  
(NO. 22925)  
  
...2814. Joseph W. Diemert, Jr. , and Diane A. Calta , Attorneys at Law, Mayfield Heights, for appel-  
lants. Amie L. Bruggeman and **Stephen W. Funk** , Attorneys at Law, Akron, for appellees. DECLI-  
SION AND JOURNAL ENTRY CARR , Judge. This cause was heard upon the record in...
48. **P** Tran v. Gonzales,  
447 F.3d 937, 2006 WL 1328949, C.A.6, May 17, 2006 (NO. 04-3800, 05-3734)

...Assistant United States Attorney, Cincinnati, Ohio, for Respondent. ON BRIEF: Alice E. Loughran Jack R. Hayes Steptoc & Johnson , Washington, D.C., Stephen W. Funk Roetzel & Andress , Akron, Ohio, for Petitioner. Christopher R. Yates , Assistant United States Attorney, Columbus, Ohio, Aviva L. Poczter Emily A...

49. **C** Redmon v. City Council of City of Columbus,  
Not Reported in N.E.2d, 2006 WL 1174506, 2006 -Ohio- 2199, Ohio App. 10 Dist., May 04, 2006 (NO. 05AP-466)

...Attorney, and Joshua T. Cox , for appellee, Columbus City Council. Roetzel & Andress, LPA, Stephen D. Jones Eric S. Bravo and Stephen W. Funk , for appellee, Watermark Services, LLC and Tyvan LLC. MCGRATH, J. {¶ 1} On April 28, 2004, appellee-appellee, the City...

50. Twinsburg Apartments, Inc. v. Akron Metropolitan Housing Authority,  
Slip Copy, 2006 WL 6584398, N.D. Ohio, February 08, 2006 (NO. 5:04-CV-2173)

...J. Livingstone Majeed G. Makhlouf Mark J. Valponi , Taft, Stettinius & Hollsiter, Cleveland, OH, for Plaintiff, Counterclaim Defendant. Ronald S. Kopp Stephen W. Funk , Roetzel & Andress, Richard A. Green Akron, OH, for Defendant. MEMORANDUM AND ORDER GRANTING AKRON METROPOLITAN HOUSING AUTHORITY'S MOTION TO CERTIFY...

51. **C** Babcock & Wilcox Co. v. Hitachi America, Ltd.,  
406 F.Supp.2d 819, 2005 WL 3483894, N.D. Ohio, December 14, 2005 (NO. 5:05-CV-00047)

...liability. Kelly L. Hellmuth Robert D. Windus Robert M. Moore Moore & Lee , McLean, VA, Ronald S. Kopp Mariam A. Shah Stephen W. Funk Roetzel & Andress , Akron, OH, for Plaintiff. James D. Thomas Colin R. Jennings Stacy D. Ballin Squire, Sanders & Dempsey , Cleveland, OH...

52. **P** State ex rel. Pepper v. Russo,  
Not Reported in N.E.2d, 2005 WL 2698574, 2005 -Ohio- 5556, Ohio App. 8 Dist., October 14, 2005 (NO. 87149)

...Motion No. 376862) Writ and Motion Granted Michael F. Becker Lawrence F. Peskin Becker & Mishkind Co. , LPA, Cleveland, for Relator. Stephen W. Funk Roetzel & Andress , Akron, Christine M. Kattola Mariam A. Shah , Roetzel & Andress, LPA, Cleveland, for Respondent. ANTHONY O. CALABRESE, Jr. , J...

53. **P** Satow v. Columbiana Cty. Budget Comm.,  
Not Reported in N.E.2d, 2005 WL 2450165, 2005 -Ohio- 5312, Ohio App. 7 Dist., September 28, 2005 (NO. 04-CO-13)

...of East Liverpool. Charles L. Payne , East Liverpool City Law Director, East Liverpool, for Plaintiff-Appellant City of East Liverpool. Stephen W. Funk Roetzel & Andress , Akron, for Appellees

Columbiana County Budget Commission, Fairfield, Knox, Washington Townships Nicholas M. Barborak , Lisbon, for Appellee Columbiana...

54. **H** McEnteer v. Moss,  
Not Reported in N.E.2d, 2005 WL 1283707, 2005 -Ohio- 2679, Ohio App. 9 Dist., June 01, 2005  
(NO. CIV.A. 22201, CIV.A. 22220)  
  
...County of Summit, Ohio, Case No. CV 04 04 2446. Joseph E. Oliver , Attorney at Law, Akron, Ohio, for Appellant. **Stephen W. Funk** , Attorney at Law, Akron, Ohio, for Appellees. DECISION AND JOURNAL ENTRY BATCHELDER , J. This cause was heard upon the record...
55. **C** E. Liverpool v. Columbiana Cty. Budget Comm.,  
105 Ohio St.3d 410, 827 N.E.2d 310, 2005 WL 1123569, 2005 -Ohio- 2283, Ohio, May 25, 2005  
(NO. 2425, 2003-1003)  
  
...budget commission. John R. Varanese , Columbus and Charles L. Payne , East Liverpool City Law Director, for appellant. Roetzel & Andress and **Stephen W. Funk** , Akron; and Robert L. Herron , Columbiana County Prosecuting Attorney, for appellee Columbiana County Budget Commission. Richard A. Horning , Salem, for...
56. **P** Dinks II Co., Inc. v. Chagrin Falls Village Council,  
Not Reported in N.E.2d, 2005 WL 1118160, 2005 -Ohio- 2317, Ohio App. 8 Dist., May 12, 2005  
(NO. 84939)  
  
...to negate the application of res judicata. Administrative appeal from Common Pleas Court, Case No. CV-507614, Reversed and Vacated **Stephen W. Funk** Roetzel & Andress , Akron, Ohio, for Plaintiff-Appellant. Diane A. Calta Joseph W. Diemert, Jr. , Cleveland, Ohio, for Defendant-Appellee: Chagrin...
57. **H** Silver Lake v. Metro Regional Transit Auth.,  
Not Reported in N.E.2d, 2005 WL 1026552, 2005 -Ohio- 2157, Ohio App. 9 Dist., May 04, 2005  
(NO. 22199)  
  
...Appeal from Judgment Entered in the Court of Common Pleas County of Summit, Ohio, Case No. CV 2002 08 4302. **Stephen W. Funk** , Attorney at Law, Akron, Ohio, for appellant. Robert W. Heydorn , Attorney at Law, Cuyahoga Falls, Ohio, for appellee. DECISION AND...
58. **H** EI UK Holding, Inc. v. Cinergy UK, Inc.,  
Not Reported in N.E.2d, 2005 WL 662921, 2005 -Ohio- 1271, Ohio App. 9 Dist., March 23, 2005  
(NO. 22326)  
  
...Entered in the Court of Common Pleas County of Summit, Ohio, Case No. CV 2004-03-1681. Ronald S. Kopp **Stephen W. Funk** , and Alisa Labut Wright , Attorneys at Law, Akron, Ohio, for Appellant. Amy B. Spiller and Catherine S. Stempien , Attorneys at...

59. **H** Marsillo v. Stow City Council,  
Not Reported in N.E.2d, 2005 WL 293522, 2005 -Ohio- 473, Ohio App. 9 Dist., February 09, 2005 (NO. 22229)
- ...in the Court of Common Pleas County of Summit, Ohio Case No. CV 2003 10 5888. Amie L. Bruggeman and **Stephen W. Funk** , Attorneys at Law, Akron, Ohio, for Appellants. Joseph P. Haefner , Law Director and Daniel K. Dismuke , Deputy Law Director, City...
60. **C** In re Telxon Corp.,  
Not Reported in F.Supp.2d, 2005 WL 385964, N.D.Ohio, January 11, 2005 (NO. 5:98CV2876, 1:01CV1078)
- ...Krantz P.L.L. Richard S. Mitchell Roetzel & Address Steven J. Miller Goodman Weiss Miller Keith L. Carson Thompson Hine , Cleveland, OH, **Stephen W. Funk** Roetzel & Address , Akron, OH, William B. Steele, III Locke Liddell & Sapp , Austin, TX, Mark S. Gregory Kelley Drye & Warren , Stamford...
61. **H** Douglass v. Copley Twp. Bd. of Zoning Appeals,  
Not Reported in N.E.2d, 2004 WL 2902384, 2004 -Ohio- 6765, Ohio App. 9 Dist., December 15, 2004 (NO. 22064)
- ...Case No. 22064. Appeal from the Court of Common Pleas, Case No. CV-2002-12-7490, Affirmed Amie L. Bruggeman **Stephen W. Funk** , Akron, OH, for Plaintiffs-Appellees. Nicholas Swyrydenko , Akron, OH, for Intervenors-Appellants. Hon. SHEILA G. FARMER , P.J., Hon. JULIE A...
62. **H** In re Telxon Corp. Securities Litigation,  
Not Reported in F.Supp.2d, 2004 WL 3192729, N.D.Ohio, July 16, 2004 (NO. 5:98CV2876, 1:01CV1078)
- ...Address Steven J. Miller Goodman Weiss Miller Keith L. Carson Thompson Hine Arthur M. Kaufman Hahn, Loeser & Parks , Cleveland, OH, **Stephen W. Funk** Roetzel & Address , Akron, OH, William B. Steele, III Locke Liddell & Sapp , Austin, TX, Mark S. Gregory Kelley Drye & Warren , Stamford...
63. **H** In re Telxon Corp. Securities Litigation,  
Not Reported in F.Supp.2d, 2004 WL 5523284, N.D.Ohio, June 08, 2004 (NO. 5:98CV2876)
- ...Clifford, Chance, Rogers & Wells, New York, NY, Stacey A. Scrivani William P. Thornton Daniel B. Huyett , Stevens & Lee, Reading, PA, **Stephen W. Funk** , Roetzel & Address, Akron, OH, Steven J. Miller Miller Goler Faeges Keith L. Carson Thompson Hine , Cleveland, OH, William B. Steele...

91. **H** Bucur v. I.N.S.,  
109 F.3d 399, 1997 WL 134582, C.A.7, March 26, 1997 (NO. 96-2008, 96-2190, 96-2043)
- ...96-2008. Samuel Der-Yeghiayan Immigration & Naturalization Service , Chicago, IL, Richard M. Evans Jeffrey J. Bernstein (argued), David M. McConnell **Stephen W. Funk** Marion E. Guyton Department of Justice Civil Division , Immigration Litigation, Washington, DC, for respondent in 96-2008 and 96-2043 ...
- ...for petitioner Gheorghe Dragos. Janet Reno , U.S. Attorney General, Washington, DC, Jeffrey J. Bernstein (argued), Mark C. Walters Christine Bither **Stephen W. Funk** Department of Justice Civil Division , Immigration Litigation, for respondent in 96-2190. Before POSNER , Chief Judge, and CUMMINGS and CUDAHY...
92. **C** Boykov v. I.N.S.,  
109 F.3d 413, 1997 WL 134590, C.A.7, March 26, 1997 (NO. 96-1879)
- ...a) Royal F. Berg (argued), Chicago, IL, for Petitioners. Samuel Der-Yeghiayan Immigration & Naturalization Service , Chicago, IL, David M. McConnell **Stephen W. Funk** Michael Lindemann Susie Cho (argued), Department of Justice Civil Division , Immigration Litigation, Washington, DC, for Respondent. Before BAUER FLAUM , and...
93. **C** Bachkova v. I.N.S.,  
109 F.3d 376, 1997 WL 134407, C.A.7, March 24, 1997 (NO. 96-2191)
- ...h). David Rubman (argued), Chicago, IL, for petitioner. Samuel Der-Yeghiayan I.N.S. , Chicago, IL, David M. McConnell Susie Cho (argued), **Stephen W. Funk** Department of Justice Civil Division Immigration Litigation Jennifer H. Zawid Linda S. Wendtland United States Department of Justice , Washington, DC...
94. **▶** Yang v. I.N.S.,  
109 F.3d 1185, 1997 WL 120230, C.A.7, March 18, 1997 (NO. 94-3071, 96-2044, 95-3665, 96-1824)
- ...Attorney General, Washington, DC, Tom Schroeder Immigration & Naturalization Service , Chicago, IL, Richard M. Evans William J. Howard David M. McConnell **Stephen W. Funk** Marion E. Guyton Quynh Vu Department of Justice Civil Division Immigration Litigation Kristal Marlow F. Franklin Amanat (argued), Department of ...
- ...J. Horn Horn & Villasuso , Chicago, IL, for Jelica Bicanin. Samuel Der-Yeghiayan Immigration & Naturalization Service , Chicago, IL, Joan E. Smiley **Stephen W. Funk** F. Franklin Amanat (argued), Frank W. Hunger , Asst. Attorney General, Quynh Vu Department of Justice Civil Division , Immigration Litigation, Washington...
95. **C** Nenadovic v. I.N.S.,

108 F.3d 124, 1997 WL 85185, C.A.7, February 28, 1997 (NO. 96-2066)

...Office of the United States Attorney General , Washington, DC, Samuel Der-Yeghiayan Immigration & Naturalization Service , Chicago, IL, David M. McConnell **Stephen W. Funk** Marion E. Guyton Michael Lindemann Michelle Gluck (argued), Department of Justice Civil Division Immigration Litigation , Washington, DC, Lisa Arnold United...

96. **C** Tzankov v. I.N.S.,  
107 F.3d 516, 1997 WL 72036, C.A.7, February 21, 1997 (NO. 96-2045)

...Stanley J. Horn, Horn & Villasuso , Chicago, IL, for Petitioner. Samuel Der-Yeghiayan Immigration & Naturalization Service , Chicago, IL, David M. McConnell **Stephen W. Funk** Linda S. Wendtland Gretchen M. Wolfinger (argued), United States Department of Justice Civil Division , Immigration Litigation, Washington, DC, for Respondent...

97. **P** Angoucheva v. I.N.S.,  
106 F.3d 781, 1997 WL 55362, C.A.7, February 11, 1997 (NO. 95-2370)

...of the U.S. Attorney , Chicago, IL, Richard M. Evans William J. Howard Donald A. Couvillon Francesco Isgro David M. McConnell **Stephen W. Funk** Terri J. Lavi (argued), Department of Justice Civil Division , Immigration Litigation, Washington, DC, for I.N.S. Nancy Kelly , Women Refugees Program...

98. **H** Marquez v. I.N.S.,  
105 F.3d 374, 1997 WL 31626, C.A.7, January 28, 1997 (NO. 96-1249)

...Azulay, Stephen D. Berman (argued), Azulay & Azulay , Chicago, IL, for petitioners. Samuel Der Yeghiayan I.N.S., Chicago, IL, David M. McConnell **Stephen W. Funk** Marion E. Guyton James A. Hunolt (argued), Department of Justice Civil Div. Immigration Litigation Karen Fletcher Torsten son United States Department...

99. **P** Lalani v. Perryman,  
105 F.3d 334, 1997 WL 24520, C.A.7 (Ill.), January 23, 1997 (NO. 96-2498)

...argued), for Plaintiffs-Appellants. Thomas P. Walsh Office of the United States Attorney , Civil Division, Chicago, IL, David M. McConnell **Stephen W. Funk** (argued), Department of Justice Civil Division , Immigration Litigation, Washington, DC, for Defendant-Appellee. Before COFFEY EASTERBROOK , and MANION , Circuit Judges...

100. **P** Najafi v. I.N.S.,  
104 F.3d 943, 1997 WL 15240, C.A.7, January 15, 1997 (NO. 96-2593)

...as amended, 8 U.S.C.A. § 1158(a) Paul D. Gresk (argued), Johnson, Smith, Densborn, Wright & Heath , Indianapolis, IN, for petitioner. **Stephen W. Funk** Michelle Gluck (argued), Department of

Justice Civil Division , Immigration Litigation, Washington, DC, Lynn K. Holland , Chicago, IL, for respondent. Before...

101. **H** Arevalo-Lopez v. I.N.S.,  
104 F.3d 100, 1997 WL 1898, C.A.7, January 03, 1997 (NO. 96-1754)

...Corbett Stevenson (argued), Sullivan & Stevenson , Milwaukee, WI, for Petitioner. Samuel Der-Yeghiayan Immigration & Naturalization Service , Chicago, IL, David M. McConnell **Stephen W. Funk** Department of Justice Civil Division , Immigration Litigation, Laura A. Smith (argued), United States Department of Justice , Immigration Litigation, Washington, DC...

102. **C** Krastev v. I.N.S.,  
101 F.3d 1213, 1996 WL 693615, C.A.7, December 04, 1996 (NO. 95-3957)

...Yeghiayan Immigration & Naturalization Service Thomas P. Walsh Office of the United States Attorney , Civil Division, Chicago, IL, David M. McConnell **Stephen W. Funk** Marion E. Guyton Michelle R. Slack (argued), Department of Justice Civil Division , Immigration Litigation, Washington, DC, for Respondent. Before CUMMINGS...

103. **C** Sene v. U.S. I.N.S.,  
103 F.3d 120, 1996 WL 667906, Unpublished Disposition, C.A.4, November 19, 1996 (NO. 95-3104)

...AFFIRMED Randall L. Johnson , Arlington, Virginia, for Petitioner. Frank W. Hunger , Assistant Attorney General, David V. Bernal , Senior Litigation Counsel, **Stephen W. Funk** Office of Immigration Litigation , UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent. Before WIDENER HALL , and MURNAGHAN , Circuit Judges...

104. **C** Stankovic v. I.N.S.,  
94 F.3d 1117, 1996 WL 499596, C.A.7, September 05, 1996 (NO. 95-3727)

...U.S. Atty. Gen., Office of the U.S. Atty. Gen. , Washington, DC, Samuel Der-Yeghiayan I.N.S. , Chicago, IL, David M. McConnell **Stephen W. Funk** Marion E. Guyton Dept. of Justice Civ. Div. , Immigration Litigation, Washington, DC, David J. Kline Dept. of Justice , Office of...

105. **P** Nowak v. I.N.S.,  
94 F.3d 390, 1996 WL 494158, C.A.7, August 30, 1996 (NO. 96-2163)

...of the United States Attorney General , Washington, DC, Samuel Der-Yeghiayan Brian Perryman Immigration & Naturalization Service , Chicago, IL, Philemina Jones **Stephen W. Funk** (argued), Laura M. Friedman Department of Justice Civil Division , Immigration Litigation, Washington, DC for Respondent. Before POSNER , Chief Judge, and...

106. ▷ Opoka v. I.N.S.,  
94 F.3d 392, 1996 WL 494164, 45 Fed. R. Evid. Serv. 740, C.A.7, August 30, 1996 (NO. 95-3552)  
  
...James B. Burns Office of the United States Attorney , Chicago, IL, William J. Howard Allen W. Hausman David M. McConnell **Stephen W. Funk** Lorri L. Shealy Department of Justice Civil Division , Immigration Litigation, Washington, DC, Kristal A. Marlow (argued), Department of Justice , Office...
107. ▷ Kuciemba v. I.N.S.,  
92 F.3d 496, 1996 WL 442590, C.A.7, August 07, 1996 (NO. 95-3454)  
  
...A. Liberty (argued), Park Forest, IL, for Petitioner. Samuel Der-Yeghiayan I.N.S. , Chicago, IL, Richard M. Evans David M. McConnell **Stephen W. Funk** Dept. of Justice Civ. Div. , Immigration Litigation, Washington, DC, Laura A. Smith (argued), U.S. Dept. of Justice , Immigration Litigation, Washington...
108. ▷ Duldulao v. I.N.S.,  
90 F.3d 396, 1996 WL 411447, 96 Cal. Daily Op. Serv. 7461, 96 Cal. Daily Op. Serv. 5453, 96 Daily Journal D.A.R. 8897, 96 Daily Journal D.A.R. 12,266, C.A.9, July 24, 1996 (NO. 95-70213)  
  
...106(a)(10), as amended, 8 U.S.C.A. § 1105a(a) (10). Kendall Wong , Honolulu, Hawaii, for petitioner Alfredo Aries Duldulao. **Stephen W. Funk** United States Department of Justice , Washington, D.C., for respondent Immigration and Naturalization Service. Petition for Review of an Order of...
109. ▷ Reyes-Hernandez v. I.N.S.,  
89 F.3d 490, 1996 WL 399845, 65 USLW 2061, C.A.7, July 17, 1996 (NO. 95-3677)  
  
...of Justice Office of Immigration Litigation , Washington, DC, Samuel Der-Yeghiayan Immigration and Naturalization Service , Chicago, IL, David M. McConnell **Stephen W. Funk** Department of Justice Civil Division , Immigration Litigation, Washington, DC, for Respondent. Before POSNER , Chief Judge, and ESCHBACH and ROVNER , Circuit...
110. H Tedeeva v. I.N.S.,  
88 F.3d 826, 1996 WL 383098, 97 Cal. Daily Op. Serv. 5138, 96 Daily Journal D.A.R. 8295, C.A.9, July 10, 1996 (NO. 95-70145)  
  
...as amended, 8 U.S.C.A. § 1252b (a)(2). Donald Ungar Simmons, Ungar, Helbush, Steinberg & Bright , San Francisco, California, for petitioner. **Stephen W. Funk** Elizabeth A. Welsh Office of Immigration Litigation , United States Department of Justice, Washington, D.C., for respondent. Petition for Review of...
111. ▷ Eide-Kahayon v. U.S. I.N.S.,  
86 F.3d 147, 1996 WL 306812, 96 Cal. Daily Op. Serv. 4126, 96 Daily Journal D.A.R. 6661, C.A.9, June 10, 1996 (NO. 94-70607)

...were met, movant would not be entitled to discretionary grant of relief. Frank S. Triana , El Paso, Texas, for petitioner. **Stephen W. Funk** and Stewart Deutsch United States Department of Justice , Washington, DC, for respondent. Petition to Review a Decision of the Immigration...

112. ▷ Hengan v. I.N.S.,  
79 F.3d 60, 1996 WL 122125, C.A.7, March 20, 1996 (NO. 95-2939)

...Department of Justice Office of Immigration Litigation , Washington, DC, Samuel Der-Yeghiayan Immigration & Naturalization Service , Chicago, IL, David M. McConnell **Stephen W. Funk** Department of Justice Civil Division , Immigration Litigation, Washington, DC, for Respondent. Before COFFEY EASTERBROOK , and KANNE , Circuit Judges. EASTERBROOK , Circuit...

113. H Gottesman v. Fischer,  
922 F.Supp. 605, 1996 WL 138086, N.D.Ga., March 13, 1996 (NO. 1:95-CV-0451-WBH)

...Ira J. Kurzban , pro hac vice, Brian M. Torres , pro hac vice, Kurzban Kurzban & Weinger, Miami FL, for Moshe Gottesman. **Stephen W. Funk** U.S. Dept. of Justice Jane Wilcox Swift Office of U.S. Attorney , Atlanta, GA, Washington, DC, for Thomas P. Fischer. ORDER...

114. H Yang v. Reno,  
925 F.Supp. 320, 1996 WL 220991, M.D.Pa., March 13, 1996 (NO. CIV.A. 1:CV-93-1702)

...A. Cabral John J. Andre Norah Ascoli Schwartz David M. McConnell April Gordon Dawson Nelda C. Reyna Edward J. Duffy **Stephen W. Funk** James A. Hunolt Kristin A. Cabral Leah Loebel and Jeffrey J. Bernstein Office of Immigration Litigation , Washington, DC, for all...

115. H Gonzalez v. I.N.S.,  
77 F.3d 1015, 1996 WL 86341, C.A.7, February 29, 1996 (NO. 95-1451)

...Service , Chicago, IL, James B. Burns Office of the United States Attorney , Chicago, IL, William J. Howard Robert Kendall, Jr. **Stephen W. Funk** Ethan B. Kanter (argued), Michael Lindemann Department of Justice Civil Division , Immigration Litigation, Washington, DC, for respondent. Before BAUER ROVNER...

116. C Dobrican v. I.N.S.,  
77 F.3d 164, 1996 WL 74790, C.A.7, February 22, 1996 (NO. 95-1540)

...IL, James B. Burns Office of United States Attorney , Chicago, IL, Richard M. Evans William J. Howard Robert Kendall, Jr. **Stephen W. Funk** Terri J. Lavi (argued), Department of Justice Civil Division , Immigration Litigation, Washington, DC, for Respondent. Before FLAUM EASTERBROOK , and DIANE...

117. **H** Onwuneme v. I.N.S.,  
67 F.3d 273, 1995 WL 576789, C.A.10, October 02, 1995 (NO. 95-9516)

...28 U.S.C. § 1915(a) Thomas J. Young, Jr. , Denver, Colorado, for Petitioner. David M. McConnell , Senior Litigation Counsel, and **Stephen W. Funk** , Attorney, Civil Division , Office of Immigration Litigation, Washington, D.C., for Respondent. Before ANDERSON BALDOCK and BRORBY , Circuit Judges. BALDOCK , Circuit...

118. **C** Crowley v. Fox Broadcasting Co.,  
851 F.Supp. 700, 1994 WL 175926, 22 Media L. Rep. 1904, D.Md., May 03, 1994 (NO. CIV K-93-4086)

...him look like bumbler instead of hero. Frances F. Rogala , Washington, DC, for plaintiffs. Lee J. Levine Elizabeth C. Koch **Stephen W. Funk** , and Ross, Dixon & Masback , Washington, DC, for defendants. MEMORANDUM AND ORDER FRANK A. KAUFMAN , Senior District Judge. (1) Reference is...

119. **H** American Cas. Co. of Reading, Pennsylvania v. Continisio,  
17 F.3d 62, 1994 WL 56591, C.A.3 (N.J.), February 28, 1994 (NO. 93-5245, 93-5248, 93-5255, 93-5256, 93-5259)

...Flannery Federal Deposit Insurance Corp. Washington, DC, Attorneys for Appellant Federal Deposit Insurance Corporation. Richard A. Simpson (Argued), Merril Hirsh **Stephen W. Funk** Ross, Dixon & Masback , Washington, DC, Gerald T. Ford , Siff Rosen, Newark, NJ Attorneys for Appellees American Casualty Company of Reading...

Stephen W. Funk  
Application for United States Magistrate Judge  
February 7, 2011

**EXHIBIT E**  
**List of Opposing Counsel**

1. J. Michael Murray  
Berkman, Gordon, Murray & Devan  
2121 The Illuminating Building  
55 Public Square  
Cleveland, Ohio 44113  
(216) 781-5245  
[jmmurray@bgmdlaw.com](mailto:jmmurray@bgmdlaw.com)
2. Terry Gilbert and Gordon Friedman  
Friedman & Gilbert  
1370 Ontario Street, Suite 1700  
Cleveland, Ohio 44113-1726  
[tgilbert@f-glaw.com](mailto:tgilbert@f-glaw.com); [gfriedman@f-glaw.com](mailto:gfriedman@f-glaw.com)
3. Christian R. Patno  
McCarthy, Lebit, Crystal & Liffman Co.  
101 West Prospect Ave., Suite 1800  
Cleveland, Ohio 44115  
(216) 696-1422  
[crp@mccarthylebit.com](mailto:crp@mccarthylebit.com)
4. Mary K. Whitmer  
Kohrman, Jackson & Krantz  
One Cleveland Center, 20<sup>th</sup> Floor  
1375 E. Ninth Street  
Cleveland, Ohio 44114  
(216) 736-7255  
[mkw@kjk.com](mailto:mkw@kjk.com)
5. Orville Reed  
Buckingham, Doolittle & Burroughs  
3800 Embassy Parkway, Suite 300  
Akron, Ohio 44333  
(330) 258-6523  
[oreed@bdblaw.com](mailto:oreed@bdblaw.com)

6. Scott Ruport  
Ruport Co., LPA  
3700 Embassy Parkway, Suite 400  
Akron, Ohio 44333  
[sruport@ruportlaw.com](mailto:sruport@ruportlaw.com)
7. Thomas R. Houlihan, Esq.  
Amer Cunningham Co., L.P.A.  
Suite 1100, Key Building  
159 South Main Street  
Akron, Ohio 44308  
(330) 762-2411  
[houlihan@amer-law.com](mailto:houlihan@amer-law.com)
8. Matthew Mendoza, Esq.  
Calfee, Halter & Griswold  
1400 KeyBank Center  
800 Superior Avenue  
Cleveland, Ohio 44114-2688  
216.622.8337  
[mmendoza@calfee.com](mailto:mmendoza@calfee.com)
9. W. Craig Bashein  
Bashein & Bashein  
Terminal Tower – 35<sup>th</sup> Floor  
Public Square  
Cleveland, Ohio 44113  
[cbashein@basheinlaw.com](mailto:cbashein@basheinlaw.com)

Stephen W. Funk  
Application for United States Magistrate Judge  
February 7, 2011

**EXHIBIT F**  
**Supplemental Information**

**1. Mediation Experience**

I have been involved in a large number of mediations as an attorney, and recently became a member of the ADR panel for the Northern District of Ohio. For references on my mediation skills, please contact the attorneys who were involved in a recent mediation that I conducted to resolve the federal court action, *R.D. Marks Consulting, Inc. v. Ad Astra Holdings, LP et al*, 5:08-CV-02962 (N.D. Ohio). The attorneys' contact information is set forth below:

*For Plaintiff:*

Irving B. Sugerman  
Goldman & Rosen  
11 South Forge Street  
Akron, OH 44304  
330-255-0714  
Fax: 330-315-5132  
[ibsugerman@goldman-rosen.com](mailto:ibsugerman@goldman-rosen.com)

*For Defendant:*

Clifford S. Mendelsohn  
Tucker Ellis & West  
1150 Huntington Bldg.  
925 Euclid Avenue  
Cleveland, OH 44115  
216-696-3921  
[clifford.mendelsohn@tuckerellis.com](mailto:clifford.mendelsohn@tuckerellis.com)

## 2. Teaching Experience

Over the past 10 years, I have been a speaker at the following CLE seminars:

- "Handling Governmental Liability Cases," National Business Institute, Independence, Ohio (March 22, 2011).
- "Land Use Law: Current Issues in Subdivision, Annexation and Zoning," National Business Institute, Cleveland and Akron, Ohio (December 2010).
- "State and Local Government Law: Ethical Issues," National Business Institute, Cleveland, Ohio (December 2010).
- "Local Civil Rules: Northern District of Ohio Admission Seminar," Cleveland Bar Association (December 2010).
- "Local Civil Rules: Northern District of Ohio Admission Seminar," Akron Bar Association (November 2010).
- "State and Local Government Law: Hot Topics in Land Use and Zoning Law," National Business Institute, Cleveland, Ohio (December 2009).
- "Mastering Zoning and Land Use Planning Processes," National Business Institute, Cleveland and Akron, Ohio (February 2009).
- "Practical Guide to Appellate Practice Before Ohio's Federal and State Courts: Featuring Blue-Ribbon Panel of Judges," Moderator, the Ohio State Bar Association Convention and Annual Meeting (May 2008).
- "Land Use and Zoning Litigation," National Business Institute, Cleveland and Akron, Ohio (June 2008, March 2007, March 2006, and December 2004).
- School Law Seminar on Single-Sex Education, sponsored by the Ohio State Bar Association, Cleveland, Ohio (December 2007).
- "Practical Guide to Zoning and Land Use Law in Ohio," National Business Institute, Cleveland and Akron, Ohio (May 2007, August 2006; May 2005, December 2004, May 2004; and August 2003).
- "Legal Issues Involving Ohio Local Governments," National Business Institute, Cleveland, Ohio (March 2008, March 2006; and March 2005).
- "What You Need to Know about Public Records and Open Meetings in Ohio," Lorman Educational Services, Akron, Ohio (February 2007, June 2005, June 2004; June 2003).
- "Use of Scientific Evidence in Environmental Cases," OSBA Environmental Institute (2001).