BEFORE THE BOARD OF PROFESSIONAL CONDUCT
OF
THE SUPREME COURT OF OHIO

In re:

Complaint against

Thomas Charles Holmes, Esq.
551 Emerald Court
Aurora, Ohio 44202
Attorney Registration No. 0073794

Ashleigh Brie Kerr, Esq.
551 Emerald Court
Aurora, Ohio 44202
Attorney Registration No. 0085992

Respondents

Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215

Relator

Relator alleges that Thomas Charles Holmes and Ashleigh Brie Kerr, attorneys at law, duly admitted to the practice of law in the state of Ohio, are guilty of the following misconduct:

1. Respondent Thomas Charles Holmes was admitted to the practice of law in the state of Ohio on November 13, 2001.

2. Respondent Ashleigh Brie Kerr was admitted to the practice of law in the state of Ohio on May 10, 2010.


4. From the date of his admission until June 16, 2016, Holmes practiced law at the Pepple & Waggoner law firm in Cleveland, Ohio. From June 17, 2016 until July 30, 2016, Holmes
practiced law from his home for Holmes Legal Services. From August 1, 2016 until present, Holmes practiced law at the Day Ketterer law firm in Hudson, Ohio.

5. From the date of her admission until November 30, 2016, Kerr practiced law at O'Toole, McLaughlin, Dooley & Pecora law firm (formally known as Stumphauzer, O'Toole, McGlamery, McLaughlin & Loughman law firm) in Sheffield Village, Ohio.

6. In their respective practices, Holmes and Kerr both focus on school law. Their practices consist primarily of the representation of public school districts.

7. Holmes and Kerr met on November 9, 2014 at the Ohio School Boards Association Capital Conference in Columbus, Ohio.

8. Shortly after meeting, Holmes and Kerr began a personal relationship. Holmes and Kerr have resided together since October 2015 and have been engaged since November 30, 2015.

9. At no time relevant to this complaint have Holmes and Kerr jointly represented any client.

10. Between January 2015 and November 2016, on more than a dozen occasions, Holmes and Kerr exchanged information relating to the representation of clients. These exchanges included the identity of the clients, work product, and privileged communications and were unauthorized.

11. Generally, Kerr forwarded Holmes an email exchange with her client in which her client requested a legal document (i.e. a contract, waiver, or opinion). In response, Holmes forwarded Kerr an email exchange with his client which attached a similar legal document that he had drafted for his client. More often than not, Holmes ultimately completed Kerr's work relative to her particular client.
12. Respondent Holmes' conduct, as alleged above, violates Prof. Cond. R. 1.6(a) [A lawyer shall not reveal information relating to the representation of a client]; and Prof. Cond. R. 8.4(h) [A lawyer shall not engage in conduct that adversely reflects on the lawyer's fitness to practice law].

13. Respondent Kerr's conduct, as alleged above, violates Prof. Cond. R. 1.6(a) [A lawyer shall not reveal information relating to the representation of a client]; and Prof. Cond. R. 8.4(h) [A lawyer shall not engage in conduct that adversely reflects on the lawyer's fitness to practice law].

Conclusion

Relator requests that respondents be found in violation of the Ohio Rules of Professional Conduct and that they be sanctioned accordingly.

Scott J. Drexel (0091467)
Disciplinary Counsel
scott.drexel@sc.ohio.gov

Jennifer A. Bondurant (0079384)
Assistant Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215
614.461.0256
614.461.7205 – fax
jennifer.bondurant@sc.ohio.gov
Certificate

The undersigned, Scott J. Drexel, Disciplinary Counsel, of the Office of Disciplinary Counsel of the Supreme Court of Ohio hereby certifies that Jennifer A. Bondurant is duly authorized to represent relator in the premises and has accepted the responsibility of prosecuting the complaint to its conclusion. After investigation, relator believes reasonable cause exists to warrant a hearing on such complaint.

Dated: December 20, 2017

[Signature]

Scott J. Drexel, Disciplinary Counsel
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Respondents

Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215

Relator

Pursuant to Gov.Bar R. V(11)(B), respondent Ashleigh Brie Kerr, by and through her attorney, stipulates that there is probable cause for the filing of a complaint and hereby waives the determination of probable cause by a Probable Cause Panel of the Board of Professional Conduct.

Dated: 12/20/2017

George Demetrios Jonson, Esq. (0027124)
Montgomery, Rennie & Jonson, LPA
36 East 7th Street, Suite 2100
Cincinnati, Ohio 45202
Attorney for Respondent
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Relator

Pursuant to Gov.Bar R. V(11)(B), respondent Thomas Charles Holmes, by and through
his attorney, stipulates that there is probable cause for the filing of a complaint and hereby
waives the determination of probable cause by a Probable Cause Panel of the Board of
Professional Conduct.

Dated: DEC 20, 2017

Jonathan Edward Coughlan, Esq. (0073794)
Kegler, Brown, Hill and Ritter
65 East State Street, Suite 1800
Columbus, Ohio 43215
Attorney for Respondent

WAIVER OF DETERMINATION
OF PROBABLE CAUSE

(Rule V of the Supreme Court Rules for the
Government of the Bar of Ohio.)