

# COHEN, TODD, KITE & STANFORD, LLC

## ATTORNEYS AT LAW

### JOHN L. O'SHEA, Member

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### PROFESSIONAL EXPERIENCE

John's availability is essential for his clients' protection. So, he is available *day or night* at **513-300-4012**.

John practices in all areas of litigation with particular emphasis on criminal, white collar and DUI/OVI ("drunk driving") defense; and, civil litigation involving municipal law, business law, serious personal injury and wrongful death claims in both State and Federal Court.

John was named to the Super Lawyers Top 100 lawyers in Ohio for 2013, 2017, 2018, 2019 & 2020 and the Top 50 lawyers in Cincinnati for 2012 through 2020. John has been a member of

America's Top 100 Criminal Defense Attorneys since 2018. He is The Best Lawyers in America 2015 Cincinnati Criminal Defense "Lawyer of the Year" and The Best Lawyers in America 2018 Cincinnati Criminal Defense: White Collar "Lawyer of the Year". John also has a perfect 10.0 rating from AVVO.com and was honored with AVVO's 2014 Client's Choice Award.

See John's [AVVO.com](#) profile for peer endorsements and client reviews.

John is a designated attorney of the United States Concealed Carry Association's Critical Response Team, which provides 24 hour insurance backed benefits, including immediate criminal defense representation, for USCCA members involved in a self-defense shooting.

In 2019, John represented a USCCA member indicted for Murder, Attempted Murder and Felonious Assault with firearms specifications for shooting and killing one individual and shooting at another. A conviction as charged carried a mandatory life prison sentence. John argued self-defense at trial, after which the USCCA member was found Not Guilty of all charges and discharged. All defense costs were paid by the USCCA.

In 2018, John represented a USCCA member involved in an early morning shooting. The USCCA member defended himself by returning fire and shooting the assailant. The USCCA member was unharmed. John was called at 3:45 a.m. and immediately responded to the police department where client was being held for questioning. John represented the USCCA member during ongoing police investigation. The assailant, the one shot by the USCCA member, was charged with Felonious Assault. The USCCA member was released without being charged. All defense costs were paid by the USCCA.

Before joining the firm in 1994, John served as an assistant prosecutor in the Juvenile, Municipal and Common Pleas Court trial divisions of the Hamilton County Prosecutor's Office. During that time, John was also appointed by the Ohio Attorney General to serve as a special prosecutor for the Ohio Organized Crime Investigations Commission. After joining the firm, John was twice appointed as a special prosecutor by the Hamilton County Courts.

Today, John uses his trial experience to effectively defend individuals and businesses in white collar criminal investigations and prosecutions, as well as adults and juveniles charged with misdemeanor and felony criminal offenses of every type, including drug offenses and driving under the influence charges.

John serves the City of Blue Ash, Ohio as its Mayor's Court Magistrate.

In civil matters, John has successfully advised and represented business clients on various corporate matters, disputes and litigation. He has won significant awards for clients in numerous personal injury and wrongful death cases.

Call at your convenience for a free consultation or if you just have a question.

Call John on **513-300-4012** at any time if you need help immediately.

## **PRACTICE AREAS**

### **Litigation**

- Business & Complex Litigation
- Personal Injury & Wrongful Death
- Trials and Appeals

### **Criminal Defense & OVI / DUI**

- OVI / DUI – Drunk Driving
- White Collar Criminal Law
- Juvenile Law
- Criminal Appeals

## **BAR ADMISSIONS**

- Ohio, 1989
- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Southern District of Ohio

## **EDUCATION**

- J.D., University of Cincinnati College of Law, 1989

## **REPRESENTATIVE MATTERS**

### Personal Injury/Wrongful Death related matters:

- Successful resolution of numerous serious personal injury claims on behalf of plaintiffs.
- Resolution of five separate wrongful death claims from automobile accident fatalities resulting in payments totaling over \$5,000,000.

### Criminal Trial Practice – Self-defense related matters:

- Represented individual indicted for Murder, Attempted Murder and Felonious Assault with firearms specifications for shooting and killing one individual and shooting at another. Charges carried life in prison if convicted. Argued self-defense at trial. Not guilty verdict.
- Represented an individual, who with a co-defendant, was indicted for Felonious Assault for causing serious physical harm to another. Argued self-defense at trial. Not guilty verdict.
- Represented an individual involved in an early morning gun battle where client shot the other individual. Immediately responded to police department where client was being held and represented client during ongoing police investigation of shooting. Other individual, the one shot by client, charged with and indicted for Felonious Assault. Client released from custody without being charged.
- Represented an individual indicted for Felonious Assault with a firearms specification for shooting another four times. Charge carried a mandatory minimum five year prison term if convicted. Proved self-defense at trial. Not guilty verdict.
- Represented an individual indicted for Felonious Assault for assaulting another with brass knuckles. Proved self-defense at trial. Not guilty verdict.

### Employee Theft related matters:

- Represented an employee investigated by law enforcement for embezzlement of \$274,935 from employer. Negotiated resolution without criminal charges being filed.
- Represented a Treasurer charged with embezzlement of \$175,000 from a children's athletic organization. Negotiated Plea Agreement with no incarceration.
- Represented an employee indicted for embezzlement of \$62,728 from employer. Negotiated deferred prosecution agreement where charge was dismissed and all case records sealed.
- Represented an individual in a Federal Court prosecution for embezzlement from a public school fund. Negotiated Plea Agreement with no incarceration.

#### Federal Court related matters:

- Represented a Plant Manager of a manufacturing corporation in a Federal Court prosecution by the U.S. Department of Justice and the Environmental Protection Agency for a violation of the Clean Air Act in the State of Indiana. Negotiated plea agreement with no incarceration.
- Represented a corporation investigated by the U.S. Department of Justice and the Internal Revenue Service before a Federal Grand Jury for alleged fraud in the administration of an employee benefits program. Investigation was closed without Indictment.
- Represented a corporation investigated by the U.S. Department of Justice in the Commonwealth of Kentucky before a Federal Grand Jury for alleged improper pharmaceutical accounting procedures. Investigation was closed without Indictment.
- Successfully represented a corporation in its Federal Court civil prosecution of organized interstate and international trademark counterfeiting.
- Represented a corporation investigated by the U.S. Department of Justice, Antitrust Division, before a federal grand jury for alleged price fixing. Investigation was closed without indictment.

#### State Court related matters:

- Represented a Pharmacist indicted for four felony counts of Theft of Drugs. Prior to trial, negotiated complete dismissal of Indictment and sealing of all case records.
- Represented individual indicted for two felony counts of Obstructing Justice for allegedly harboring her ex-husband who was a fugitive from justice. Negotiated complete dismissal of Indictment and sealing of all case records.
- Represented a student in a State Court Felony Indictment for Aggravated Arson for setting fires on a college campus. Negotiated Plea Agreement with no incarceration.
- Represented an individual indicted with three co-defendants for Aggravated Burglary with Firearm Specifications. Negotiated plea agreement with no incarceration. Co-defendants entered guilty pleas. Two were sentenced to four years in prison and one was sentenced to six years in prison.
- Represented an individual indicted for Felony Theft of \$80,000 from an elderly person. Negotiated deferred prosecution agreement where charge was dismissed and all case records sealed.
- Successfully protected an individual in Probate Court litigation over her rights to proceeds from four (4) multi-million dollar trusts.
- Represented an individual in a State Court prosecution under Racketeer Influenced and Corrupt Organizations Act (RICO) for alleged illegal gambling activities. Negotiated Plea Agreement with no incarceration.

#### Trial and Appellate related matters:

- Represented a medical practice office manager on a 29 count state court felony indictment, which included allegations of theft of drugs, embezzlement and forgery. Not Guilty Jury Verdict on all 29 counts.
- Represented a public employee in a State Court Felony Indictment for Theft in Office for alleged embezzlement from a public school fund. Not Guilty Jury Verdict.
- Represented a semi-tractor trailer driver charged with Vehicular Homicide and Vehicular Manslaughter. Not Guilty Verdict.
- Represented an individual in appeal of conviction for Driving Under the Influence. Conviction reversed unanimously by the Ohio First District Court of Appeals and case dismissed.
- Represented an individual charged with Driving Under the Influence in Trial Court and Court of Appeals. Trial Court dismissed all charges on pretrial motions. Government appealed dismissal and Ohio First District Court of Appeals unanimously affirmed Trial Court and dismissed case.
- Represented an individual in appeal of conviction for Driving Under the Influence. Conviction reversed unanimously by the Ohio Sixth District Court of Appeals and case dismissed.

#### Immigration Law related matters:

Successfully represented an individual in a Petition for Writ of Coram Nobis in Federal Court to set aside a 1998 criminal conviction for Bank Embezzlement. Thirteen year old criminal conviction set aside and case dismissed.

## CERTIFICATIONS

- Certified Mayor's Court Magistrate, Ohio Municipal League
- Serves the City of Blue Ash, Ohio as its Mayor's Court Magistrate

## COMMUNITY INVOLVEMENT

- Serves the Ohio Supreme Court as a member of its Lawyer to Lawyer Mentoring Program for newly licensed attorneys.
- Member of the Advisory Board of Big Brothers and Big Sisters of Greater Cincinnati.
- Member of the Advisory Board of Talbert House, Cincinnati.
- Member of the Hamilton County Republican Party Judicial Screening Committee.
- Member of the Aegis Council for tuition assistance of St. John's Jesuit High School & Academy, Toledo, Ohio.
- Member of the Loyola Club for tuition assistance of St. Xavier High School, Cincinnati, Ohio.
- Served the Ohio Supreme Court as a member of its Subcommittee on Responding to Child Abuse, Neglect and Dependency.
- Served the Hamilton County Board of County Commissioners as a member of its 241-KIDS Advisory Panel.
- Served the Ohio Justice and Policy Center as a supervisor of new lawyers in its Clinical Legal Education Program.

## PROFESSIONAL ASSOCIATIONS

- National Association of Criminal Defense Lawyers
- Ohio Association of Criminal Defense Lawyers
- Ohio State Bar Association
- Cincinnati Bar Association
- Federal Bar Association
- Panel Member, Criminal Justice Act Panel, U.S. District Court Southern District of Ohio (2014-2017)
- Member, United States Concealed Carry Association, Critical Response Team

## AWARDS

- Top 100 Ohio Super Lawyers: 2013, 2017, 2018, 2019 & 2020
- Top 50 Cincinnati Super Lawyers 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019 & 2020
- Ohio Super Lawyer 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019 & 2020
- Best Lawyers in America 2015 Cincinnati Criminal Defense "Lawyer of the Year"
- Best Lawyers in America 2018 Cincinnati Criminal Defense: White Collar "Lawyer of the Year"
- Best Lawyers in America, Commercial Litigation 2014, 2015, 2016, 2017, 2018, 2019 & 2020
- Best Lawyers in America, Criminal Defense 2014, 2015, 2016, 2017, 2018, 2019 & 2020
- Best Lawyers in America, Criminal Defense-White Collar 2014, 2015, 2016, 2017, 2018, 2019 & 2020
- America's Top 100 Criminal Defense Attorneys 2018, 2019 & 2020
- AVVO.com Perfect 10.0 "Superb" Rating
- AVVO.com 2014 Client's Choice Award

