

2018 Ohio Supreme Court Election Guide

PREFERRED CANDIDATES

Justice Mary DeGenaro (R). Justice Mary DeGenaro hails from Youngstown, Ohio and is seeking election to a full six-year term, having been appointed by Gov. Kasich in January 2018 to the unexpired term of Justice William O'Neill who retired early. Prior to her Supreme Court appointment, Justice DeGenaro served nearly 17 years as a judge on the Seventh District Court of Appeals in Youngstown, during which time she sat by appointment on a number of Ohio Supreme Court cases, including several important insurance law cases. Outside the courtroom, Justice DeGenaro serves as Co-Chair of the Ohio Judicial Conference Ethics & Professionalism Committee and as Vice President of the Ohio Woman's Bar Association. She was also appointed by the late Chief Justice Thomas Moyer to serve on a commission to address issues relating to judicial campaigns and the integrity of Ohio's judiciary. Justice DeGenaro is a strong believer in judicial restraint, decides cases based on the facts and the law and will not legislate from the bench.

Judge Craig Baldwin (R). Judge Craig Baldwin hails from Licking County Ohio and is seeking the Ohio Supreme Court seat being vacated by retiring Justice Terrence O'Donnell. Judge Baldwin currently serves on the Fifth District Court of Appeals in Canton. He was appointed to the appellate court in 2013 and was elected to that court in 2014 and again in 2016. Prior to serving on the appellate court, Judge Baldwin served eight years as a judge in the Licking County Court of Common Pleas, Domestic Relations Division, a career path similar to Ohio Supreme Court Justice Sharon Kennedy. Judge Baldwin is a frequent instructor at the Ohio Judicial College, has chaired of the Ohio Supreme Court's Commission on the Rules of Superintendence, and has served on the Ohio Supreme Court's Task Force on the Funding of Ohio Courts. Judge Baldwin approaches each case with an open mind, giving due consideration to judicial precedent and the proper role of the judiciary. Judge Baldwin will make a great addition to the Ohio Supreme Court.

CONTACT INFORMATION FOR THE CAMPAIGNS

DeGenaro for Justice
4173 Jennifer Drive, Hamilton, OH 45013
Phone: (419) 733-1638 (Katelyn Heusinkveld)
Website: www.degenaroforjustice.com Campaign
Account Name: "DeGenaro for Justice"

Baldwin for Ohio
4173 Jennifer Drive, Hamilton, OH 45013
Phone: (513) 546-4830 (Katie Metz)
Website: www.baldwinforohio.com
Campaign Account Name: "Baldwin for Ohio"

CONTRIBUTION RULES

Ohio campaign finance laws permit Ohio Supreme Court candidates to accept a **maximum of \$3,800 per individual**. Partnerships (with no corporate partners), limited liability companies and political action committees are permitted to make a maximum contribution of \$7,000 to an Ohio Supreme Court candidate. **Corporate contributions are prohibited.**

LETTERS OR EMAILS TO BUSINESS CONTACTS & FRIENDS

Introduction: Some individuals may wish to send emails or letters to business contacts or friends urging them to vote for Justice DeGenaro and Judge Baldwin. Handwritten letters or notes are the most effective means of communication.

Suggested Message Points: Below are suggested points for letters or handwritten notes or emails.

- As the highest legal authority in the state, the Ohio Supreme Court has a significant impact on individuals and businesses in our Great State. That is why Ohio needs Supreme Court Justices like DeGenaro and Baldwin who are conservative, impartial, fair minded and intelligent.
- DeGenaro and Baldwin are conservative judges who understand the important role of the Ohio Supreme Court and exercise judicial restraint. With the possibility that all seven seats on the Ohio Supreme Court could turnover in the next four years, the election of DeGenaro and Baldwin this year is critical.
- I urge you to vote for DeGenaro and Baldwin for the Ohio Supreme Court on November 6 and to encourage your family, friends, and business associates to vote for them. Their election is critical to maintaining a common-sense balance on the Ohio Supreme Court.

Corporate Funds or Email Systems May Not Be Used. If your organization is incorporated or has any corporate partners you may not use any business resources to prepare or send Ohio Supreme Court letters or emails (this applies to computers, email, postage, paper, envelopes, labor or any other expenses necessary to prepare and send letters). **You may use personal resources to send letters or emails.** For emails, use personal email accounts, e.g., yahoo, Gmail, etc.

The Importance of the 2018 Ohio Supreme Court Elections

Ohio enjoys an economic climate that allows businesses to grow and its residents to earn fair wages and pay fair prices for the goods and services they receive. Key to the sustainability of this favorable environment is a fair-minded Ohio Supreme Court that interprets the law, but doesn't make it; that respects precedent; and that fairly calls the balls and strikes as it applies the law to the facts in any given case. It hasn't always been that way.

It is hard to believe that 16 years have passed since the 2002 election, when the election of Justices Stratton and O'Connor flipped the Ohio Supreme Court from a 4-3 trial lawyer majority to a 4-3 common sense majority. Unfortunately, memories have faded and few remember just how challenging the Ohio Supreme Court was before 2002:

A ruling by Ohio Supreme Court holding that commercial auto policies provided personal UM/UIM coverage to the employees of the insured while driving their own vehicles on personal business. *Scott-Pontzer v. Liberty Mut. Fire Ins. Co.* (1999), 85 Ohio St.3d 660.

A ruling by the Ohio Supreme Court that "rewrote" the requirements of the UM/UIM waiver statute and rendered thousands of UM/UIM rejections invalid. *Linko v. Indemnity Ins. Co. of North America* (2000), 90 Ohio St.3d 445.

Three members of the Ohio Supreme Court agreed that a helicopter is a motor vehicle for purposes of the Ohio UM/UIM law and that UM/UIM coverage should apply to claims arising from the crash of a helicopter. *Delli Bovi v. Pacific Indemnity Co.* (1999), 85 Ohio St.3d 343.

Justice Paul Pfeifer, who voted against the insurers in *Scott-Pontzer*, *Linko* and *Delli Bovi*, quipped in 1994 that he changed more laws in his first year on the Ohio Supreme Court than he did in more than a decade in the Ohio Senate, "It's a lot easier to get four votes."

Believe it or not, these are all true stories. This is why the 2018 Ohio Supreme Court election cannot be taken for granted. A loss of two seats this year and two seats in 2020 could take us right back to the pre-2002 Ohio Supreme Court, when the majority often ignored the facts and the law in its decision making. Not counting all of the other troublesome UM/UIM cases of that era, the *Scott-Pontzer* and *Linko* decisions added at least \$120 million to our UM/UIM losses by imposing coverage in our policies that was never intended by either the UM/UIM statute or our policy language. Our industry depends on stability and predictability in order to set fair pricing for insurance coverage we intend to provide. We count on our courts generally, and our Ohio Supreme Court in particular, to provide that stability and predictability.

Maintaining that stable and predictable legal environment that is so important for our company and all of Ohio, doesn't happen by itself. It requires all of us to pay attention to these important elections and support the candidates that we believe will best serve these interests.

For 2018, we are endorsing two outstanding candidates who we believe embody the qualities and experienced required of Ohio Supreme Court justices. Justice Mary DeGenaro and Judge Craig Baldwin are fair and impartial jurists who decide cases based on the facts and the law and do not legislate from the bench. You can learn more about them on the information sheet on the back side of this page.

If you have any questions or need more information about the 2018 Ohio Supreme Court election, please contact Cincinnati Financial's Government Relations Officer, Scott Gilliam, 513-607-5717 or scott_gilliam@cinfin.com.

ELECT THESE COMMON SENSE CANDIDATES

- JUSTICE MARY DEGENARO***
- JUDGE CRAIG BALDWIN***

TO THE OHIO SUPREME COURT ON NOV. 6

Conservative judges who understand the important role of the Ohio Supreme Court

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