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*February 1, 2005*

TO: The Supreme Court of the State of Ohio

RE: Affidavit of Disqualification  
Case NO. 05AP122

My name is Michael D. Winston, and I was the attorney of record for Ronald Fleming, in the matter of Audra M. Fleming vs. Ronald Fleming. This matter was assigned to the Honorable Carole Squire.

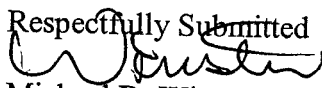
I am aware of the application for disqualification. In this matter I was the counsel of record for Mr. Fleming. I am a young attorney, who sought the assistance of a more experienced attorney. It was my desire to withdraw as counsel, and that Ms. Kim Halliburton-Cohen would marshal this case as lead counsel.

Prior to going on vacation, I attempted to withdraw as counsel and allow Ms. Halliburton-Cohen to substitute. I was contacted on vacation by the Court, and advised that I had not properly done so, and that I need to appear before the Court. I returned and appeared on or about June 16, 2005.

I will admit that my action and attitude toward the Court was out of character and aggressive. In part, I was influenced by the conduct of my co-counsel, which I recognize as wrong on my part. I felt that the matter was getting out of control so I called my mentor, Attorney Christopher M. Cooper, to counsel and advise me.

I recognize that my behavior was aggressive, and that I may have responded to some of the Courts' inquires inappropriately. After consulting with my mentor, and in retrospect, I felt compelled to apologize to Judge Squire, and have done so several times. During the events of June 16, 2005, the Judge approached me, and attempted to console me. At no time did I view her actions as hostile, threatening, or intimidating.

My action of June 16, 2005 were far more aggressive that necessary. I know that the matter was blown out of proportion, and that my responses to the Court were not appropriate at all times. My behavior was out of character, and I do apologize to Judge Squire, and to this Court for any inconvenience that I may have caused.

Respectfully Submitted  
  
Michael D. Winston  
Attorney at Law