



Carlile Patchen & Murphy LLP
ATTORNEYS AT LAW

Carl A. Aveni, II



Primary Practice Areas:

Litigation:
Business & Commercial Litigation
Restrictive Covenants, Trade Secrets, Unfair Competition

Professional Experience:

Lead or sole counsel on extensive case load in all phases of trial, discovery, motions practice, and appellate review.

Substantial experience and success in oral arguments before the Supreme Court of Ohio, the United States Court of Appeals for the Sixth Circuit, and numerous Ohio District Courts of Appeal.

Served as lead counsel, successfully defending cardiothoracic surgical group in federal suit claiming violation of health care statutes prohibiting fraudulent self-referrals. Affirmed by 6th Circuit, January 31, 2006.

Served as lead counsel representing railroad before Public Utilities Commission in first Ohio case to successfully compel closure of hazardous railroad crossing over municipal objection. Affirmed by Ohio Supreme Court, May 17, 2006.

Judge, Mediation Competition of the Moot Court Board, Moritz College of Law, The Ohio State University, Fall, 2004.

Publications/Speaking Engagements:

Author, "Duty to Warn in a Strict Liability Case – Striking a Balance," OACTA Update, Fall, 2001.

Lecturer, "Defending Water Intrusion and Mold Claims," Sterling Educational Services, Columbus, Ohio, October, 2003.

Education:

J.D., The Boston University School of Law, Boston, Massachusetts 1996

Cum Laude, G.P.A., 3.63/4.00

Concentration in Litigation and Alternative Dispute Resolution

Law Review Editor, 1995 – 1996

Law Review Staff Member, 1994 – 1995

Dean's List, 1993 – 1996

B.A., The American University, School of International Service, Washington, D.C., 1991,

International Relations

Bar Admissions:

Ohio

Professional Association and Memberships:

Ohio State Bar Association

Columbus Bar Association

Community Involvement:

Columbus Speech & Hearing Center, Board of Directors, 2001 -2004

Chair, Personnel Committee, 2003-2004

Member at Large, Executive Committee, 2003 – 2004

“Caring Paws”, Co-Founder, Fall, 2005

Delivered 4,000 new and gently used stuffed animals to shelters in Louisiana and Mississippi for children displaced by Hurricanes Katrina and Rita.

•Organized in-kind donations from UPS (shipping), Victoria’s Secret (packaging), Once Upon a Child (drop-off locations), and the Elizabeth Blackwell Center of Ohio Health (drop-off location).

Featured on local news WCMH-TV (Channel 4, NBC Affiliate)

Representative Matters:

Petition of Indiana & Ohio Railroad To Close To Vehicular Traffic the Vorhees Street Crossing in the City of Reading, Hamilton County, Ohio, 109 Ohio St.3d 193 (2006). Ohio Supreme Court decision affirming PUCO order that municipality close hazardous at-grade railroad crossing despite municipal objection, following three day evidentiary hearing. Case of first impression in state, only decision to date where PUCO has required an Ohio municipality to close a hazardous railroad crossing.

Board of Park Commissioners of Clark County Park District v. John Dunkle, et al., (Ohio App. 2nd Dist. 2003) 2003 Ohio App. LEXIS 4885. Affirming Trial Court’s grant of summary judgment establishing that railroad’s predecessors had acquired fee simple rather than railroad easement to disputed property back in 1865.