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MEMORANDUM

TO: Clients and Friends of Bricker & Eckler LLP
FROM: Bricker & Eckler's Government Relations Team
DATE: November 7, 2018
SUBJECT: 2018 post-general election update

On Tuesday, November 6, 2018, Ohioans cast ballots in the 2018 general election. For the first time since 2006, five statewide elected offices were up for election without an incumbent running in the 2018 general election. Federal offices, including all Ohio U.S. Representatives seats and one U.S. Senate seat, two Ohio Supreme Court seats, all seats in the Ohio House of Representatives and 17 Ohio Senate seats were on the ballot. Many counties in Ohio and around the country reported record-breaking early voter turnout. Nearly 1.5 million ballots were requested by mail and in person, and an estimated 1.3 million had been cast as of the close of early voting on November 5, 2018.

Here is Bricker & Eckler's overview of the 2018 general election results and details on races of particular interest.

STATEWIDE BALLOT ISSUES

Issue 1: This proposed constitutional amendment was filed as the "Neighborhood Safety, Drug Treatment, and Rehabilitation Amendment." If adopted, the amendment would have, among other things, required reductions in sentencing in certain situations, mandated that certain criminal offenses or uses of any drugs, such as fentanyl and heroin, can only be classified as a misdemeanor, and prohibited jail time as a sentence for obtaining, possessing or using such drugs until an individual's third offense within 24 months. Issue 1 was defeated by 63.41 percent.

The Ohio Safe and Healthy Communities Campaign led the way in support of the proposed constitutional amendment. Supporters of Issue 1 were financially supported by Open Society Policy Center, the Chan Zuckerberg Initiative and the Open Philanthropy Project Action Fund. Other supporters included the Ohio Organizing Collaborative, the Ohio Justice & Policy Center, Ohio Transformation Fund, Alliance for Safety and Justice and Open Society Policy Center.

Ohio Supreme Court Chief Justice Maureen O'Connor penned a letter released by the Ohio Prosecuting Attorneys Association in which she stated that Issue 1 will have catastrophic consequences on Ohio and that if Issue 1 passes, Ohio may have some of the most lenient drug crime laws in the nation. Other notable opponents of Issue 1 were the Ohio State Bar Association, the Ohio

Common Pleas Judges Association, the Ohio Association of Juvenile and Family Court Judges, Association of Municipal and County Court Judges of Ohio, the Buckeye State Sheriffs Association, the Ohio Association of Chiefs of Police, the Ohio Patrolmen's Benevolent Association, the Ohio Crime Victim Justice Center, the County Auditors Association of Ohio and CorJus. Former Ohio Supreme Court Justice Paul Pfeifer, now the Executive Director of the Ohio Judicial Conference, helped draft and provide the argument against Issue 1.

Speaker of the Ohio House of Representative Ryan Smith (R-Bidwell) and Ohio Senate President Larry Obhof (R-Medina) were engaged in opposing Issue 1. Attorney General Mike DeWine (R-Cedarville) announced his opposition to Issue 1, while his opponent in the 2018 Ohio gubernatorial election, Richard Cordray (D-Grove City), announced his support.

FEDERAL RACES

U.S. Senate

Democratic incumbent Senator Sherrod Brown defeated Congressman Jim Renacci (R-Wadsworth) in the November 2018 general election, winning 53.19 to 46.81 percent. Throughout the election, Congressman Renacci branded himself as the "Trump" candidate. President Trump campaigned for Congressman Renacci in Cleveland the day before the 2018 General Election.

U.S. House of Representatives

Nationally, Republicans lost control of the U.S. House of Representatives. However, the Ohio Congressional delegation political breakdown remained the same in all 16 seats.

Ohio U.S. Representatives Marcia Fudge (D), Marcy Kaptur (D), Troy Balderson (R), Mike Turner (R), David Joyce (R), Tim Ryan (D) and Steve Stivers (R) all won re-election. Steve Chabot (R), Brad Wenstrup (R), Joyce Beatty (D), Jim Jordan (R), Bob Latta (R), Bill Johnson (R), Bob Gibbs (R) and Warren Davidson (R) were also successful. Likewise, former Ohio State University football player and first-time candidate for elected office, Anthony Gonzales (R), won election by 56.84 percent of the vote.

OHIO RACES

Governor

With 50.66 percent of the vote, Ohio's Republican Attorney General Mike DeWine and Secretary of State Jon Husted defeated Democrat Richard Cordray, former director of the Consumer Financial Protection Bureau (CFPB) and a former Ohio Attorney General, and his running mate, former Congresswoman Betty Sutton. Cordray/Sutton received 46.44 percent of the vote.

Attorney General

Republican Auditor of State Dave Yost defeated former U.S. Attorney Steve Dettelbach, a Democrat from Northeast Ohio. Yost received 52.42 percent of the vote and Dettelbach received 47.58 percent.

Auditor

With 49.93 percent, former Senate President and current State Representative Keith Faber (R-Celina) defeated former U.S. Congressman Zack Space (D-Dover). Representative Space received 46.05 percent of the vote.

Secretary of State

State Senator Frank LaRose (R-Hudson) defeated State Representative Kathleen Clyde (D-Kent) for Secretary of State. Senator LaRose received 50.92 percent of the vote, whereas Representative Clyde received 46.73 percent of the vote.

Treasurer

Winning by the largest margin of any statewide candidate, State Representative Robert Sprague (R-Findlay) defeated Democrat Rob Richardson. Representative Sprague received 53.53 percent of the vote and Mr. Richardson received 46.47 percent of the vote. Representative Sprague was a former management consultant for Ernst & Young. Richardson is a lawyer from Cincinnati and ran unsuccessfully in a previous Cincinnati mayoral race.

Ohio Supreme Court

The Ohio Supreme Court saw more turnover this year, following the mandatory retirement age for judges, which was put in place in 2012. Two seats were open, and the races struggled to gain attention in a year dominated by federal and other statewide races.

Democratic Cuyahoga County Common Pleas Court Judge Michael Donnelly defeated Republican Fifth District Court of Appeals Judge Craig Baldwin to replace Justice Terrence O'Donnell. Judge Baldwin received 39 percent of the vote, and Judge Donnelly received 61 percent of the vote.

Earlier in 2018, Governor John Kasich appointed Justice Mary DeGenaro, previously of the Seventh District Court of Appeals, to replace Justice Bill O'Neill, who ran for the Democratic gubernatorial nomination, for the remainder of the unexpired term. Democratic Eighth District Court of Appeals Judge Melody Stewart defeated Justice DeGenaro for the new term. Judge Stewart won with 52.51 percent of the vote. Justice DeGenaro received 47.49 percent of the vote. Justice-elect Stewart is the first African American woman elected to statewide office in Ohio history.

Court of Appeals

Pierre Bergeron defeated Charles Miller for a position on the First District Court of Appeals, receiving 51.27 percent. Incumbent Dennis Deters was defeated by Candace Crouse for another spot on the First District Court of Appeals. She received 52.87 percent of the vote. Robert Winkler was successful in his race against Ginger Bock for a third seat of the First District Court of Appeals. Winkler received 51.86 percent of the vote.

Incumbent Marilyn Zayas handily defeated Dale Stalf for a position on the First District Court of Appeals, receiving 60.06 percent of the vote.

With 61.22 percent of the vote, Mike Hess beat Valarie Gerlach for the Fourth District Court of Appeals.

Incumbent Marie Hoover was defeated by Jason Smith for Judge of the Fourth District Court of Appeals. Jason Smith received 52.88 percent of the vote.

With 59.49 percent, incumbent Patricia Delaney held off Andrew King in the Fifth District Court of Appeals race. King received 40.51 percent.

Gene Zmuda was successful in her race against Joel Kuhlman for the Sixth District Court of Appeals. Zmuda received 55.51 percent of the vote to Kuhlman's 44.49 percent.

David D'Apolito defeated Kathleen Bartlett in the race for Seventh District Court of Appeals, receiving 51.09 percent of the vote.

With 74.11 percent of the vote, Michelle Sheehan defeated Raymond Headen for a position on the Eighth District Court of Appeals.

Incumbent Jennifer Lee Hensal was victorious over Diana Colavecchio in the election for the Ninth District Court of Appeals with 53.31 percent of the vote.

Receiving 53.79 percent of the vote, Mary Jane Trapp defeated Casey O'Brien in the race for a spot on the Eleventh District Court of Appeals.

Matt Lynch defeated Darya Klammer for the Eleventh District Court of Appeals. Lynch received 55.65 percent of the vote.

Ohio House of Representatives: New Democratic Seats

Democrats picked up a net-four seats in the Ohio House, with one or two races still very close (under 1 percent). Three of those seats were gained in Franklin County: Mary Lightbody (D-Westerville) defeated Tim Barhorst (R-Westerville) for Ohio's 19th District, Beth Liston (D-Dublin) defeated Stu Harris (R-Dublin) for Ohio's 21st District, and Allison Russo (D-Columbus) defeated Erik Yassenoff (R-Columbus) for Ohio's 24th District.

Finally, based on unofficial election results, Casey Weinstein (D-Hudson) narrowly defeated Mike Rasor (R-Stow) for Ohio's 37th District, previously held by Kristina Roegner (R-Hudson), by less than 600 votes.

Ohio House of Representatives: Races of Interest

The House is currently controlled by a Republican majority of 62-37, and all seats were up for election this year.

In the open 6th District outside of Cleveland, first-time candidate Phil Robinson (D-Solon) had just received the *Cleveland Plain Dealer* endorsement over long-time political elected official and operative Jim Trakas (R-Independence). Robinson defeated Trakas, receiving 51.14 percent of the vote to Trakas's 48.86.

In Cincinnati's 28th District, incumbent Jonathan Dever (R-Cincinnati) narrowly defeated challenger Jessica Miranda (D-Cincinnati), receiving 50.28 percent of the vote.

Similarly, appointed incumbent, J. Todd Smith (R-Germantown) seems to be holding on to beat Montgomery County Commissioner Dan Foley (D-Dayton) in the 43rd District.

Long-time elected official and current chair of the House Insurance Committee, Tom Brinkman (R-Cincinnati), defeated Ohio's 27th District with challenger Christine Fisher (D-Cincinnati) by 53.58 percent of the vote. Fisher received 46.42 percent of the vote.

Ohio's 20th District Incumbent Richard Brown (D-Canal Winchester) faced a challenge in a tough district by Bobby Mitchell (R-Canal Winchester). Rep. Brown, an attorney with vast insurance experience, prevailed as the incumbent, receiving 58.06 percent of the vote.

Ohio Senate

The Ohio Senate is currently controlled by Republicans by a 24-9 margin. There were 17 Senate seats up for election this year. While there were a few interesting seats to watch, Republicans kept control of the upper chamber handily.

Former Democratic Senator and current Representative John Boccieri (D-Poland) was defeated by Michael Rulli (R-Salem) in a current Democratic district in the heart of "Trump Country." Rulli prevailed with 52.51 percent of the vote.

Also of note, Representative Anne Gonzales (R-Westerville) appears to have defeated Tina Maharath for the Third Senate District, but the race is close enough that a recount is expected.

Franklin County Commissioners

Incumbent Franklin County Commission Marilyn Brown (D) defeated Republican business owner Michele Reynolds (R), receiving 64 percent of the vote.

Franklin County Auditor

Longtime incumbent Republican Franklin County Auditor Clarence Mingo was defeated by Democratic Columbus City Councilman Michael Stinziano. Councilman Stinziano won with 57 percent of the vote.

Below you will find a complete list of all the Ohio House and Senate Candidates in this year's General Election.

Ohio House of Representatives Candidates
(Election winners are in bold.)

District Number	Incumbent	Republican	Democrat
1	Scott Wiggam	Scott Wiggam	Kevin Barnet
2	Mark Romanchuk	Mark Romanchuk	Lane Winters
3	Theresa Gavarone	Theresa Gavarone	Daniel Gordon
4	Robert R. Cupp	Robert R. Cupp	Tristram Cheeseman
5	Tim Ginter	Tim Ginter	John Dyce
6	Marlene Anielski	Jim Trakas	Phil Robinson
7	Tom Patton	Tom Patton	Aziz Ahmed
8	Kent Smith		Kent Smith
9	Janine Boyd	Joe Miller	Janine Boyd
10	Bill Patmon		Terrence Upchurch
11	Stephanie Howse	Shalira Taylor	Stephanie Howse
12	John Barnes		Juanita Brent
13	Nickie Antonio	Jay Carson	Michael Skindell
14	Martin Sweeney		Bride Rose Sweeney
15	Nicholas J. Celebrezze	Kevin Kussmaul	Jeffrey A. Crossman
16	Dave Greenspan	Dave Greenspan	Cassimir Svigelj
17	Adam Miller	John Rush	Adam Miller
18	Kristen Boggs	David Todd	Kristin Boggs
19	Anne Gonzales	Tim Barhorst	Mary Lightbody
20	Richard Brown	Bobby Mitchell	Richard Brown
21	Mike Duffey	Stu Harris	Beth Liston
22	David Leland	Doug Moody	David Leland
23	Laura Lanese	Laura Lanese	Russell Harris
24	Jim Hughes	Erik Yassenoff	Allison Russo
25	Bernadine Kennedy Kent	Debbie Staggs	Bernadine Kennedy Kent
26	Hearcel Craig	Shareeque Arife Sadiq	Erica Crawley
27	Tom Brinkman	Tom Brinkman	Christine Fisher
28	Jonathan Dever	Jonathan Dever	Jessica Miranda
29	Louis Blessing	Louis Blessing	Carrie Davis
30	Bill Seitz	Bill Seitz	Clayton Adams
31	Brigid Kelly		Brigid Kelly
32	Catherine Ingram	Marilyn Tunnat	Catherine Ingram
33	Alicia Reece	Judith Boyce	Sedrick Denson

34	Emilia Sykes	Josh Sines	Emilia Sykes
35	Tavia Galonski	Ostia Obierika	Tavia Galonski
36	Anthony DeVitis	Anthony DeVitis	Timothy Piatt
37	Kristina Roegner	Mike Razor	Casey Weinstein
38	Marilyn Slaby	Bill Roemer	Elliot Kolkovich
39	Fred Strahorn		Fred Strahorn
40	Michael Henne	Phil Plummer	Ryan Taylor
41	Jim Butler	Jim Butler	John McManus
42	Niraj Antani	Niraj Antani	Zach Dickerson
43	Todd Smith	Todd Smith	Dan Foley
44	Michael Ashford		Paula Hicks-Hudson
45	Teresa Fedor	David Davenport	Lisa Sobecki
46	Michael Sheehy		Michael Sheehy
47	Derek Merrin	Derrek Merrin	Gary Newnham
48	Kirk Schuring	Scott Oelslager	Lorraine Wilburn
49	Thomas West	James Haavisto	Thomas West
50	Christina Hagan	Reggie Stoltzfus	Cassie Gabelt
51	Wes Retherford	Sara Carruthers	Susan Vaughn
52	George Lang	George Lang	Kathy Wyenandt
53	Candice Keller	Candice Keller	Rebecca Howard
54	Paul Zeltwanger	Paul Zeltwanger	Nikki Foster
55	Nathan Manning	Gayle Manning	Kelly Kraud Mencke
56	Dan Ramos	Rob Weber	Joe Miller
57	Dick Stein	Dick Stein	James Johnson
58	Michele Lepore-Hagan	David Simon	Michele Lepore-Hagan
59	John Boccieri	Don Manning	Eric Ungaro
60	John Rogers	Mike Zuren	John Rogers
61	Ron Young	Jamie Callender	Rick Walker
62	Scott Lipps	Scott Lipps	Jim Staton
63	Glenn Holmes	Jim Hughes	Glenn Holmes
64	Michael O'Brien	Martha Yoder	Michael O'Brien
65	John Becker	John Becker	Patricia Lawrence

66	Doug Green	Doug Green	Jeff Richards
67	Andrew Brenner	Kris Jordan	Cory Hoffman
68	Rick Carfagna	Rick Carfagna	Kathleen Tate
69	Steve Hambley	Steve Hambley	Carol Brenstuhl
70	Darrell Kick	Darrell Kick	Steve Johnson
71	Scott Ryan	Scott Ryan	Jeremy Blake
72	Larry Householder	Larry Householder	Tyler Shipley
73	Rick Perales	Rick Perales	Kim McCarthy
74	Bill Dean	Bill Dean	Anne Gorman
75	Kathleen Clyde	Jim Lutz	Randi Clites
76	Sarah LaTourette	Sarah LaTourette	John Kennedy
77	Tim Schaffer	Tim Schaffer	Brett Pransky
78	Ron Hood	Ron Hood	Amber Daniels
79	Kyle Koehler	Kyle Koehler	Amanda Finfrock
80	Steve Huffman	Jena Powell	Scott Zimmerman
81	Jim Hoops	Jim Hoops	Janet Breneman
82	Craig Riedel	Craig Riedel	Aden Baker
83	Robert Sprague	Jon Cross	Mary Harshfield
84	Keith Faber	Susan Manchester	Joe Monbeck
85	Nino Vitale	Nino Vitale	Garrett Baldwin
86	Dorothy Pelanda	Tracy Richardson	Glenn Coble
87	Riordan McClain	Riordan McClain	Mary Pierce-Broadwater
88	Bill Reineke	Bill Reineke	Rachel Crooks
89	Steve Arndt	Steve Arndt	Joe Helle
90	Terry Johnson	Brian Baldrige	Adrienne Buckler
91	Shane Wilkin	Shane Wilkin	Justin Grimes
92	Gary Scherer	Gary Scherer	Beth Workman
93	Ryan Smith	Ryan Smith	Jim Rumley
94	Jay Edwards	Jay Edwards	Taylor Sappington
95	Andy Thompson	Don Jones	Dan Milleson
96	Jack Cera		Jack Cera
97	Brian Hill	Brian Hill	Kristine Geis

98	Al Landis	Brett Hudson Hillyer	Jeremiah Johnson
99	John Patterson	Michael Pircio	John Patterson

Ohio Senate Candidates

(Election winners are in bold.)

District Number	Incumbent	Republican	Democrat
1	Robert McColley	Robert McColley	Adam Papin
3	Kevin Bacon	Anne Gonzales	Tina Maharath
5	Bill Beagle	Steve Huffman	Paul Bradley
7	Steve Wilson	Steve Wilson	Sara Bitter
9	Cecil Thomas	Tom Chandler	Cecil Thomas
11	Edna Brown	Ernest McCarthy	Teresa Fedor
13	Gayle Manning	Nathan Manning	Sharon Sweda
15	Charleta Tavares	Jordan Garcea	Hearcel Craig
17	Bob Peterson	Bob Peterson	Scott Dailey
19	Kris Jordan	Andrew Brenner	Louise Valentine
21	Sandra Williams	Thomas Pekarek	Sandra Williams
23	Michael Skindell	Steve Flores	Nickie Antonio
25	Kenny Yuko	William Faehnrich	Kenny Yuko
27	Frank LaRose	Kristina Roegner	Adam VanHo
29	Scott Oelslager	Kirk Schuring	Lauren Friedman
31	Jay Hottinger	Jay Hottinger	Melinda Miller
33	Joe Schiavoni	Michael Rulli	John Boccieri