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**CLIENT ADVISORY**

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**IDENTITY THEFT RULE (“RED FLAGS RULE”) ENFORCEMENT DELAYED AGAIN**

The last week of April, just before the May 1, 2009 enforcement date, the Federal Trade Commission (“FTC”) announced it would delay enforcement of its rule requiring “creditors” to have implemented identity theft/red flags programs until August 1, 2009. The rule requires businesses and organizations that extend credit to consumers to devise and develop fraud protection programs to prevent identity theft and, among other things, to properly store and dispose of documents with names and Social Security numbers or other personal identifiers.

Please do not hesitate to contact us for legal assistance in determining if your business is subject to the FTC rule (and an opinion letter if your business is not a “creditor” and subject to the FTC rule) and for assistance in drafting and establishing a program that fits your business and complies with the FTC rule if your business is subject to the FTC rule.

**PREPARING AN EASEMENT IS THE PRACTICE OF LAW**

In an unauthorized practice of law proceeding, the Ohio Supreme Court held that a registered professional surveyor engaged in the unauthorized practice of law when he prepared two easements for clients of his surveying business. The Court, after citing to its prior holdings that preparation of deeds constituted the practice of law, held that “Preparing documents to convey another person’s legal interests in property, such as the right of way that is the object of an easement, also constitutes the practice of law.” The Court held that an injunction was warranted and enjoined the surveyor “from preparing instruments purporting to convey the property interests of others and from engaging in all other acts constituting the unauthorized practice of law.” *Ohio State Bar Assn. v. Newburn*, 119 Ohio St. 3d 96.

**DELAWARE COUNTY ZIP CODES DOMINATE BUSINESS FIRST’S  
2008 LISTS OF FASTEST GROWING ZIP CODES AND  
WEALTHIEST ZIP CODES**

In the top 20 list of wealthiest zip codes in Central Ohio, 5 of the top 7, and 7 of the top 17, are in Delaware County, while in the top 20 list of fastest growing zip codes, 5 of the top 6 and 8 of the top 12 are in Delaware County.