



## Perrysburg attorney tackles the big cases



NANCY GAGNET ✓

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ngagnet@theblade.com

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Drivers passing by a speed camera in Toledo can breathe a sigh of relief knowing they are not operational.

The same goes for red light cameras, which along with the speed cameras, were once used to dole out thousands of citations to drivers, primarily in poorer neighborhoods, at \$150 a pop.

While officials across the state touted the cameras as a way to enhance community safety, one particular Perrysburg lawyer contended that they are nothing more than a money grab. Successfully arguing his case all the way up to the Ohio Supreme Court, attorney Andrew Mayle prevailed in proving that using the technology to ticket Ohio drivers is unconstitutional.

It took five years and one initial loss at the Ohio Supreme Court before the decision went his way. Ultimately the case came down to the court's interpretation of the statute's wording related to the jurisdiction of Ohio's municipal courts. After Mr. Mayle convinced the Ohio General Assembly to

change the jurisdictional law's wording, Gov. Mike DeWine officially signed it into law on July 3, 2019.

After that, Mr. Mayle won in his second attempt arguing the case before the state's highest court.

"People get hung up on speeding or violating traffic laws, but this boils down to the simple notion that you cannot infringe on someone's day in court. And I just resolved to myself that we're going to change this. It became very personal," Mr. Mayle said recently.

The system was wrong from the get-go, Mr. Mayle insists, because the process was deeply flawed in that the person getting the ticket could not legally challenge it. They couldn't question the calibration of the machine or even prove they weren't driving the vehicle. Essentially, the municipalities enforcing the tickets had made themselves "the judge, jury, and executioner," he said.

"I didn't agree with the Supreme Court's decision [the first time], but it did provide a roadmap to challenge it, and that's what I did," Mr. Mayle said. "We try to bring that mentality that we're going to do whatever it takes to right a wrong. We try to bring that to every case we take."

Accepting about one out of every 10 cases that come his way, Mr. Mayle has argued thousands of cases in more than 100 trial and appellate courts throughout the state. Carefully toggling between various criminal and civil litigation, and with more than 20 years of legal experience under his belt, the 46-year-old has embraced the importance of perspective.

"When I was a younger lawyer, I was more concerned about the immediate. I'm still thinking about how I want to win this battle, but you've got to think about winning the war too," he said.

Longtime friend and former Wall Street investor Monty Montgomery of Sonoma, Calif., recently described him as "a cross between a Harvard law school professor and a bar room brawl."

"You've got to have somebody who's got some intestinal fortitude. Someone who is willing to take on an everyday item like the speeding tickets and stand up in a crowd and not only offer another argument but do it an articulate way that gets the other side's attention long enough to realize that 'maybe just maybe we're not thinking out it right,'" Mr. Montgomery

said. “It takes a special person to do that, and somebody with a very tough skin.”

## **Lead law**

Mr. Mayle has been the roadblock to Toledo’s efforts to enact a lead ordinance that can hold up in court. With three successful injunctions in the three variations of the law put forth by the city over the past six years, it is likely that the most recent iteration, which is currently pending in Toledo Municipal Court, will end up in the Ohio Supreme Court.

The law requires owners of residential rentals with four or fewer dwellings built before 1978 to inspect their properties for lead paint while obtaining lead-safe certificates from the Toledo-Lucas County Health Department.

Mr. Mayle objects specifically to the lead-safe certificate requirement through the Toledo-Lucas County Health Department, arguing that Toledo City Council does not have the authority to outsource enforcement of a city ordinance to another government agency. Further, in this particular instance, he believes that the city has gone about writing the law backward. Toledo, he said, should enforce the ordinance with the health department serving in an advisory role.

“It makes no sense to me what they are doing,” Mr. Mayle said. “The health department should help the city craft the standard and help council write an enforceable ordinance. If an ordinance is not good enough for a city to enforce it itself, then the ordinance can’t exist.”

Referring to him as “a dyed-in-the-wool lawyer,” fellow attorney Peter Pattakos, who owns a practice in Akron, has teamed up with Mr. Mayle several times since 2017, when the two met.

“Andy’s a lawyer’s lawyer,” Mr. Pattakos said this week. “So much of law has become business [but] for Andy it’s a practice, and it shows.”

Judges have also sought Mr. Mayle’s legal expertise for representation, including Sandusky County Judge Mary Elizabeth Fiser. She selected him in 2019 for a situation involving a dispute with another judge over constitutional issues regarding administrative and presiding judges.

Judge Fiser acknowledges that the case was complicated and says she prevailed because Mr. Mayle “took it to the wall to get the other side’s

attention.”

“Andy knows constitutional law, and he gets to the bottom of the situation very, very quickly. I wouldn’t have called anybody else but him to take care of this for me,” Judge Fiser said this week. “He’s an exceptional lawyer, and in particular, an appellate lawyer.”

For the past decade, Tim Niese, a Put-in-Bay entrepreneur and owner of the annual Bash at the Bay concert series, has used Mr. Mayle for various legal matters.

In particular, Mr. Mayle successfully contested a charge imposed in 2020 when his establishment, like many other bars across the state, was cited for violating health rules during the pandemic. The case concerned the mechanics of enforcing certain administrative rules within the Ohio Department of Liquor Control and set a precedent for the future enforcement of such rules.

“Andy has experience with more challenging cases, that’s really what he does for us,” Mr. Niese said this week. “Over the years we have become friends. Attorneys have their niches that they specialize in, and for us if it involves the government. He is the go-to guy for that.”

With an estimated 3,000 cases completed and counting, Mr. Mayle keeps things in perspective by following a steadfast rule: Take two days to celebrate a big win and one day to mope a loss. He also keeps a “thank you” folder with cards and letters from clients he has helped over the years, which also comes in handy on tough days.

“The ability to help people is probably the most fun part of being a lawyer,” Mr. Mayle said. “Not too far behind is the ability to solve problems using my brain and a laptop. Then using words and intellect it’s making the judge agree that whatever you say is right while at the same time the other person is trying to do the same thing. It’s that simple.”

## **Family ties**

Law is a family affair for Mr. Mayle. His father, Ron Mayle, is a seasoned lawyer and the former Fremont law director, and a former Sandusky County prosecutor. Andrew Mayle’s wife, Judge Christine Mayle, sits on Ohio’s Sixth District Court of Appeals.

The family's legal ties have helped fuel his lifelong commitment to right the wrong when it comes to injustice.

He approaches work humbly yet fiercely in an unconventional space.

With crisp white walls, modern art and bronze and stainless-steel sculptures, the contemporary office building on Roachton Road where he practices with his father and new attorney Ben Padanilam, emanates more of an art gallery feel than law practice.

Gone are traditional stacks of papers, files, and rows of cabinets, as well as support staff such as a paralegal, office manager, or even a receptionist. There are none to be found. Instead, Mr. Mayle invests heavily in technology to make the office more efficient "to best serve clients."

"Law firms that rely on support staff will eventually die," he said.

A giant wall-sized mural of Abraham Lincoln wearing red John Lennon glasses is also in the firm's lobby, a fitting tribute to the 16th president Mr. Mayle holds in great reverence and with whom he coincidentally shares the same birthday: Feb. 12.

"I've been fascinated with Abe Lincoln since my youth. He was a wise, principled, and highly effective advocate before his presidency," Mr. Mayle said. "He was also a listener and thinker. He did not start as an abolitionist but, as president, was persuaded of the justice of their cause."

And the glasses gave him a most appropriate "cool touch," Mr. Mayle added.

"If he was alive and practicing law today, legal publications would no doubt refer to Abe Lincoln as a 'rock star.' So, we had to give him some rose-colored glasses," he said.

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