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BRICKER & ECKLER LLP  
Election Night Recap  
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Ohio was again at the center of national politics this year in one of the closest and most costly presidential races in recent history. President Barack Obama won Ohio and clinched a second term. In addition, the U.S. Senate remained in Democratic hands, in part because of incumbent Sherrod Brown's victory in the Buckeye State. The GOP protected its majority in the U.S. House of Representatives. Finally, the Ohio Statehouse looks substantially the same as Republicans maintained control of both the House and Senate.

This is a brief recap of the major state and national races that will shape the future of Ohio for many years to come. Perhaps most importantly, the state and congressional lines will remain the same after the defeat of Issue 2, a plan to modify the apportionment process supported primarily by left-leaning groups that failed by a 2-1 margin.

Below is a brief description of some highly contentious and closely watched races around Ohio. Please note that all reported results are unofficial and subject to change based on outstanding provisional and yet to be returned absentee ballots, as well as the final results from the Ohio Secretary of State.

### President

No state was more closely watched or more frequently visited by candidates than Ohio this cycle. Both presidential contenders knew that no candidate has won the presidency without Ohio since Kennedy in 1960 and no Republican has ever won without the Buckeye State. Accordingly, since April 2012, President Obama and Democratic groups spent approximately \$62 million in Ohio on political advertising. Governor Romney and his supporters spent close to \$65 million in the state during the same period.<sup>1</sup>

As a result, the president captured Ohio's coveted 18 Electoral College votes and, consequently, secured a second term as president. All of the polls leading into Tuesday's election showed the president leading Governor Romney on Election Day. Cuyahoga, Franklin and Hamilton counties all broke for Obama, while Northwest and Southeast Ohio went to Romney. In the end, President Obama was able to claim a second term as President of the United States.

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<sup>1</sup> Source: <http://www.washingtonpost.com/wp-srv/special/politics/track-presidential-campaign-ads-2012/>

## U.S. Senate

Another hotly contested and very expensive race in Ohio was the U.S. Senate contest between longtime Ohio politician Senator Sherrod Brown (D) and relative newcomer, State Treasurer Josh Mandel (R).

Incumbent Senator Brown was running for his second term in the Senate and enjoyed the endorsement of all major daily newspapers in Ohio. Mandel is the sitting state treasurer and raised large amounts of money from outside the state of Ohio while getting additional support from Super PACs across the nation. Senator Brown won the election by approximately 5 percentage points, garnering more than 2.5 million votes to Treasurer Mandel's 2.3 million.

## U.S. House of Representatives

Republicans maintained control of the U.S. House of Representatives as Republican Speaker John Boehner (R-West Chester) led his party to another majority in the chamber. Although Ohio loses two congressional seats this cycle due to a shrinking population, the state still had its fair share of hotly contested U.S. House races. Many of the districts are brand new with first-time congressional candidates from both parties. Below is a summary of the results:

<b>District No./Area</b>	<b>Winner (* = Incumbent)</b>	<b>Party</b>	<b>Upset (* = Open/New Seat)</b>
Ohio 1	Steve Chabot*	Republican	No
Ohio 2	Brad Wenstrup	Republican	No*
Ohio 3	Joyce Beatty	Democrat	No*
Ohio 4	Jim Jordan*	Republican	No
Ohio 5	Bob Latta	Republican	No
Ohio 6	Bill Johnson	Republican	No
Ohio 7	Bob Gibbs	Republican	No
Ohio 8	John Boehner	Republican	No
Ohio 9	Marcy Kaptur	Democrat	No*
Ohio 10	Michael Turner	Republican	No
Ohio 11	Marcia Fudge	Democrat	No
Ohio 12	Pat Tiberi	Republican	No
Ohio 13	Tim Ryan	Democrat	No
Ohio 14	David Joyce	Republican	No*
Ohio 15	Steve Stivers	Republican	No
Ohio 16	Jim Renacci (Provisional ballot counts are outstanding and could have an impact)	Republican	No*

## Ohio House of Representatives

Election experts have been watching the Ohio House races since earlier this year, trying to predict which party will control the speaker's gavel in 2013. The Democrats showed early momentum among Ohio voters after a resounding victory repealing Senate Bill 5, Ohio's collective bargaining reform law. But the incumbent Republican leadership team was able to maintain control and the majority. It appears that Republicans ended up with 60 seats to Democrats' 39, a net gain of one seat for the House GOP.

## Ohio Senate

The Ohio Senate Republicans held a predictable majority in this year's election cycle. The Senate Republicans were able to maintain their 23 seats to the Democrats' 10. One of the most closely watched Senate races this year was between appointed Senator Lou Gentile (D-Steubenville) and his little known opponent, Shane Thompson (R-Marietta). Although outspent 3-1, Senator Gentile won the right to remain in his seat for the next four years.

Although Republican control of the Ohio House, Senate and governor's office remains, the prospects of an active "lame-duck" legislative session in November and December of 2012 seem likely given reports of the legislative priorities announced by the legislative leadership and the governor.

## Ohio Supreme Court

Three Supreme Court races were on the ballot this year and the results proved to be some of the most unexpected of the night.

Justice Yvette McGee Brown was appointed by former Governor Ted Strickland (D) in a "seat swap" when Justice Maureen O'Connor successfully ran for the seat of Chief Justice of the Ohio Supreme Court. In 2012, Justice McGee Brown faced Common Pleas Court Judge Sharon Kennedy for the two years remaining on her appointed and unexpired term. Kennedy defeated McGee Brown by a large margin and will have to run again for re-election in 2014 for a full term.

Justice Terrence O'Donnell beat sitting Ohio State Senator Skindell for O'Donnell's third term on the Court.

Sitting Justice Robert Cupp lost a hotly contested race to Judge William O'Neill. O'Neill was previously a state appeals judge and ran twice for U.S. Congress unsuccessfully. O'Neill led Justice Cupp in most of the polls leading up to the election.

Although Supreme Court candidates do not run with party affiliation, Judge Kennedy is affiliated with the Republican Party, as is incumbent Justice O'Donnell. O'Neill is affiliated with the Democratic Party.

Justice Evelyn Stratton announced earlier in 2012 that she would be stepping down from the Ohio Supreme Court, giving Governor John Kasich an appointment opportunity later this year. In all, three new justices will take the bench in 2013.

## Ballot Issues

Both of Ohio's statewide ballot issues were soundly defeated. Issue 1, an issue required to be placed before the voters every 20 years, asked if the state should hold a Constitutional Convention. This issue was voted down, as is often the case with Constitutional Convention questions.

Issue 2 was more closely watched by pundits as it proposed a massive overhaul to the apportionment method in the state. This issue would have redefined how Ohio draws its statehouse and congressional political lines. Issue 2 was supported by the League of Women Voters, Ohio Democratic officials, the state's major unions and many academics. The Republican establishment and major business groups, including the Ohio Chamber of Commerce and the Ohio Farm Bureau Federation, opposed Issue 2. Issue 2 was helped in defeat by opposition from most of the editorial boards of the state's major daily newspapers.

Contested Races: Below are results for some of the most hotly contested Ohio General Assembly and congressional races. The last column indicates if the winner pulled an upset over the sitting incumbent or if the winner of an open seat caused a shift in party control in that district since the last election cycle.

### Ohio House of Representatives

District No./Area	Winner (* = Incumbent)	Party	Challenger	Upset (* = Open/New Seat)
2 – Mansfield	Mark Romanchuk	Republican	Ellen Haring (former Rep. Jay Goyal)	Yes*
3 – Bowling Green	Tim Brown	Republican	Kelly Wicks	No*
5 – Columbiana Co	Nick Barborak	Democrat	Rep. Craig Newbold	Yes* (Provisional ballots may change outcome)
7 – Cleveland	Michael Dovilla*	Republican	Matt Patten	No* (Provisional ballots may change outcome)
17 – Columbus	Mike Curtin	Democrat	Nicholas Szabo	No*
20 – Columbus	Heather Bischoff	Democrat	Nathan Burd	No*
21 – Columbus	Mike Duffey*	Republican	Donna O'Connor	No
24 – Columbus	Stephanie Kunze	Republican	Maureen Reedy	No*
28 – Cincinnati	Connie Pillich*	Democrat	Mike Wilson	No
36 - Summit	Anthony DeVitas*	Republican	Paul Colavecchio	No
51 – Hamilton	Wes Retherford	Republican	Mark Hardig	No*
60 – Geauga Co.	John Rodgers	Democrat	Lori Dinallo	No*
64 – Warren	Tom Letson*	Democrat	Randy Law	No
98 – Dover/New Philadelphia	Al Landis*	Republican	Joshua O'Farrell	No (Provisional ballots may change outcome)
99 – Ashtabula	John Patterson	Democrat	Rep. Casey Kozlowski	Yes

### Ohio Senate

District No./Area	Winner (* = Incumbent)	Party	Upset (* = Open Seat)
30 – SE Ohio	Lou Gentile*	Democrat	No