

RICHARD B. FRY III

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ASSISTANT

Linda (Smith) Johnston | ljohnston@bdblaw.com

AREAS OF PRACTICE

Taxation
Business
Real Estate & Construction
Nonprofit & Foundation
State and Local Tax



I am a business tax attorney who provides clients with trusted advice concerning significant transactions, tax planning, and difficult challenges encountered in their daily operations. My practice focuses on state and local tax compliance and controversies, including Ohio and multistate sales/use tax, commercial activity tax, and personal income tax issues, and in federal income tax controversies with the Internal Revenue Service. Additionally, because of my tax background, I often advise clients regarding the business and tax implications of commercial and real estate transactions. I take pride in understanding my clients' business needs and objectives so I can help them achieve their goals in the most beneficial, yet practical, manner.

As the Former Chair of the Ohio State Bar Association Taxation Committee, I have been asked to present my opinion concerning tax laws and policy to Ohio legislatures. These opportunities have given me invaluable insight into the legislative process and the practical considerations that mold tax policy.

Finally, I enjoy giving back and volunteering with several charitable organizations in Northeast Ohio. My involvement with the Boys and Girls Clubs of Northeast Ohio and Stewart's Caring Place has been particularly fulfilling.

EXPERIENCE

- Joined the firm as an associate in 2008; was elected partner in 2015
- Serves as Chair of the Taxation Section of the Business Practice Group (2019)
- Member of Buckingham's Business and Real Estate & Construction Practice Groups
- Experience includes, representing clients on a wide variety of federal and state tax matters, real estate and other significant transactions, and business structure/organizations, with a focus on Ohio and multistate planning and controversies

Reported Cases

- VVF Intervest, LLC v. Harris, Ohio BTA No. 2019-1233 (September 13, 2023)
- *Defender Sec. Co. v. McClain*, 2020-Ohio-4594
- *Great Lakes Bar Control, Inc. v. Testa*, Tax Comm'r of Ohio, 2018-Ohio-5207
- *Cincinnati Reds, LLC v. Testa*, Tax Comm'r of Ohio, 2018-Ohio-4669.
- *Karvo Paving Co. v. Joseph W. Testa*, Ohio BTA No. 2016-782 (January 4, 2018)
- *WCI Steel, Inc. v. Testa*, Ohio Supreme Court, 2011-Ohio-3280
- *Crown Communications, Inc. v. Testa*, 2013-Ohio-3126
- *Heartland Education Community, Inc. v. Testa*, Ohio BTA No. 2012-277 (Sept. 3, 2014)
- *Dulay v. Testa*, Ohio BTA No. 2014-2074 (Dec. 3, 2015)
- *East Manufacturing Corp. v. Testa*, Ohio BTA No. 2015-2111 (April 17, 2017)

EDUCATION & ADMISSIONS

The University of Akron School of Law (J.D., *summa cum laude*, 2008)

Assistant Editor and Associate Editor, *Akron Law Review*

The University of Akron (MTax, 2008)

Kent State University (B.B.A. Finance, *cum laude*, 2003)

Admissions

Ohio

U.S. District Court, Northern District of Ohio

U.S. Tax Court

AWARDS & HONORS

Recognized in *The Best Lawyers in America*® (2022-2025)

Dr. Frank L. Simonetti Distinguished Alumni Award from the University of Akron College of Business (2025)

Greater Akron Chamber of Commerce 30 for the Future recipient (2021)

Law360 Rising Star, Tax (2021)

Selected for inclusion in Ohio's Super Lawyers® – Rising Stars™ (2017-2022),
as voted by his peers

Ohio State Bar Association, Labor and Employment Law Student Achievement
Award

PROFESSIONAL & CIVIC INVOLVEMENT

Greater Akron Chamber of Commerce, Board of Directors

Akron Tax Club

Boys & Girls Club of Northeast Ohio, Board of Directors

Stewart's Caring Place, Board of Directors

Law360, State Tax Editorial Board

Leadership Akron, Class 38

Associations

Ohio State Bar Association

Sales & Use Tax Subcommittee of Taxation Committee, Co-Chair

Taxation Committee, Former Chair

Akron Bar Association

American Bar Association

State and Local Tax Committee