

OHIO BOARD OF TAX APPEALS

Metropolitan Fiber Systems of Columbus,)	CASE NO. 2007-K-308
MCI WorldCom Network Service, Inc.,)	
Brooks Fiber Communications of Ohio, Inc.,)	(PUBLIC UTILITY PERSONAL
MCI Metro Access Transmission Services)	PROPERTY TAX)
LLC, Metropolitan Fiber Systems of Ohio,)	
)	ORDER
Appellants,)	
)	(Confirming Parties' Case
vs.)	Management Schedule)
)	
Richard A. Levin, Tax Commissioner)	
of Ohio,)	
Appellee.)	

APPEARANCES:

For the Appellants	- Jones Day Todd S. Swatsler Heather R. Barber P.O. Box 165017 Columbus, Ohio 43216-5017
For the Appellee	- Richard Cordray Attorney General of Ohio Barton A. Hubbard Temeka M. Higgins Assistant Attorneys General State Office Tower-25 th Floor 30 East Broad Street Columbus, Ohio 43266-0410

Entered February 17, 2009

Following the termination of a stay of proceedings, the parties were accorded an opportunity to jointly propose a case management schedule in this appeal which would allow for an evidentiary hearing to be convened within a reasonable period of time. Upon consideration of the parties' proposal, the following shall apply:

Mutual responses to outstanding written discovery – no later than March 31, 2009

Additional written discovery to be completed – no later than May 22, 2009

Identification of fact/expert witnesses and exchange of expert reports – no later than June 30, 2009

Completion of fact/expert witness depositions – no later than August 31, 2009

Submission to the board of joint stipulations of fact - no later than September 26, 2009

Final exchange between the parties of exhibits and witness lists – no later than October 15, 2009

Filing of prehearing briefs, optional and limited to fifteen pages in length – no later than October 15, 2009

Commencement of evidentiary hearing, to be separately confirmed by the board's assignment commissioner – November 3, 2009 at 9:00 a.m. and continuing, if necessary, on consecutive days

Should the parties make appropriate arrangements, consistent with procedures adopted by this board, for securing the services of a court reporter: appellants' post-hearing brief shall be filed 45 days after the filing of the hearing transcript; appellee's post-hearing brief shall be filed 45 days after service of appellants' brief; and appellants' reply brief shall be filed 21 days after service of appellee's brief. In the event the hearing is electronically recorded, this same schedule shall apply from the date the hearing is concluded.

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