

OHIO BOARD OF TAX APPEALS

2169 Indianola Avenue LLC,)
)
 Appellant,) (REAL PROPERTY TAX)
)
 vs.) ORDER
)
 Franklin County Board of Revision,) (Confirming Withdrawal of Counsel
 the Franklin County Auditor, and) and Granting Continuance)
 Columbus City School District)
 Board of Education,)
)
 Appellees.)

APPEARANCES:

For the Property Owner - Fisher Skrobot & Sheraw, LLC
David A. Skrobot
471 East Broad Street, Suite 1810
Cleveland, Ohio 43215

Copy to: Karen H. Bauernschmidt Co., LPA
Karen H. Bauernschmidt
1370 West 6th Street, Suite 200
Cleveland, Ohio 44113

For the County - Ron O'Brien
Appellees Franklin County Prosecuting Attorney
Paul M. Stickel
Assistant Prosecuting Attorney
373 South High Street, 20th Floor
Columbus, Ohio 43215

For the Appellee¹ Rich, Crites & Dittmer, LLC
Board of Education - Mark Gillis
300 East Broad Street, Suite 300
Columbus, Ohio 43215

Entered February 3, 2009

This matter was originally filed on October 15, 2007 by Karen H. Bauernschmidt, on behalf of the appellant. Under date of January 27, 2009, the board docketed a notice of withdrawal as counsel from Ms. Bauernschmidt. Previously, on

¹ Counsel for the appellee Columbus City School District Board of Education has not entered an appearance in the above-captioned matter. However, as it filed a countercomplaint in the underlying matter with the Franklin County Board of Revision, the board will provide notice of this order.

November 8, 2007, Mr. David A. Skrobot, with the law firm Fisher, Skrobot & Sheraw, LLC, entered an appearance in this matter.

Ohio Adm. Code 5717-1-03(F) provides:

“A request for withdrawal of counsel in any appeal shall be in writing and shall be filed no later than *seven days subsequent to the board’s issuance of the notice of hearing date* and shall be effective upon filing. *Thereafter, a request for withdrawal of counsel shall only be made upon motion and with leave of the board.* A substitution of counsel or the party’s written acknowledgment that the appeal shall proceed without counsel shall be filed within thirty days of the filing of the withdrawal request.” (Emphasis added.)

Currently a hearing on the matter is scheduled for February 6, 2009. On February 2, 2009, counsel for the property owner requested a continuance of the scheduled hearing. Counsel asserts that he has been unable to obtain information from the former counsel and the lack of information would be prejudicial to his client. The board notes that counsel entered an appearance on November 8, 2007. Given the time counsel has been involved, the board finds that good cause exists for the continuation of the merit hearing outside the board’s rules. See Ohio Adm. Code 5717-1-15(C). The matter will be reset in the ordinary course of the board’s business.

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