

## OHIO BOARD OF TAX APPEALS

AREC RW MS LLC, )  
 )  
 Appellant, ) (CASE NO. 2007-V-1232  
 ) (REAL PROPERTY TAX)  
 )  
 vs. ) ORDER  
 )  
 Clark County Board of Revision, ) (Granting Motion to Extend Discovery  
 Clark County Auditor, and the ) Period)  
 Board of Education of the Springfield )  
 City Schools, )  
 )  
 Appellees. )

### APPEARANCES:

For the Appellant - Siegel, Siegel, Johnson  
& Jennings Co., LPA  
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For the County Appellees - Stephen A. Schumaker  
Clark County Prosecuting Attorney  
William Hoffman  
Assistant Prosecuting Attorney  
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For the Appellee BOE - Rich & Gillis Law Group, LLC  
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Entered February 17, 2009

This matter is currently before the Board of Tax Appeals as a result of a motion by the appellee Board of Education for the Springfield City School District (“BOE”) to extend the discovery period for one hundred and twenty days.

The BOE’s motion provides, in relevant part:

“\*\*\* Springfield City Schools was never officially notified of this appeal by the Clark County Board of Revision. As a result, the

Board of Education had no opportunity to enter an appearance in this matter before today and, therefore received no previous notifications from the Board of Tax Appeals about this case.”

A review of the statutory transcript certified to this board from the Clark County Board of Revision (“BOR”) fails to disclose any notice from the BOR to the BOE as required by R.C. 5717.01. Further, none of this board’s correspondence has been sent to the BOE.<sup>1</sup> Therefore, based upon the good cause shown, the discovery period will be extended until June 19, 2009. It is further ordered that the previously scheduled merit hearing (April 15, 2009) is hereby cancelled. The parties will be notified of a new hearing date by this board’s assignment commissioner.

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<sup>1</sup> On February 11, 2009, counsel for the BOE entered its appearance.