

OHIO BOARD OF TAX APPEALS

Pilot Travel Centers LLC,)	CASE NO. 2008-A-1606
)	
Appellant,)	(PERSONAL PROPERTY
)	TAX)
vs.)	
)	ORDER
Richard A. Levin, Tax Commissioner of)	
Ohio,)	(Granting Motion to Extend
)	Discovery Deadline)
Appellee.)	

APPEARANCES:

For the Appellant - Roetzel & Andress, LPA
Jeff Leonard
Scot C. Crow
155 East Broad Street
Columbus, Ohio 43215

For the Appellee - Richard Cordray
Attorney General of Ohio
Alan P. Schwepe
Assistant Attorney General
30 East Broad Street, 25th Floor
Columbus, Ohio 43215

Entered January 27, 2009

This cause and matter came on to be considered by the Board of Tax Appeals upon a motion to extend the discovery deadline jointly filed by the appellant taxpayer and the appellee Tax Commissioner. Thus, the matter was submitted to the Board of Tax Appeals solely upon the motion and memorandum in support thereof.

Specifically, said motion provides:

“NOW COMES both Appellant and Appellee, by and through their undersigned counsel, to jointly move the

Ohio Board of Tax Appeals *** to extend the dates in order to complete discovery to June 2, 2009. ***”

Ohio Adm. Code 5717-1-11(A)(1) provides that “[u]pon motion and *for good cause*, the board may establish other specific times for completion of discovery or consideration of discovery motions.” (Emphasis added.) Considering that appellant’s counsel entered its appearance in this matter some two months after the notice of appeal was filed, leaving only approximately two months remaining in the discovery period, and that appellee’s counsel has agreed to the extension of the discovery period, this board finds that sufficient good cause has been demonstrated to extend the discovery deadline. However, in the interest of maintaining the constant progress of the instant matter to hearing, the discovery period shall only be extended an additional ninety (90) days, until April 6, 2009.

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