

OHIO BOARD OF TAX APPEALS

Aras One Corporation,)	CASE NOS. 2008-A-1929,
)	2008-A-1930
Appellant,)	
)	(OTHER TOBACCO
vs.)	PRODUCTS TAX)
)	
Richard A. Levin, Tax Commissioner of)	ORDER
Ohio,)	
)	
Appellee.)	(Granting Motion to Extend
)	Discovery Deadline)

APPEARANCES:

For the Appellant - Baker , Hackenberg & Hennig
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For the Appellee - Richard Cordray
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Entered February 17, 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.

Specifically, said motion provides:

“Pursuant to Ohio Administrative Code 5717-1-11, the parties jointly move the Board for an extension of the discovery period in this matter. Appellant has requested

an extension for its discovery responses until February 25, 2009. In order for Appellant to have additional time to prepare and serve its discovery responses and for the parties to resolve any issues related to such responses prior to the discovery deadline, the parties respectfully request an extension of the discovery deadline up to and including March 6, 2009. This matter has yet to be scheduled for hearing.”

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 the parties only seek an additional three weeks time and 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. Accordingly, the discovery period shall be extended until March 6, 2009.

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