

OHIO BOARD OF TAX APPEALS

Cuyahoga Heights Local School District,)	
Board of Education,)	CASE NOS. 2008-H-2356
)	2008-H-2447
Appellant/Appellee,)	
)	(REAL PROPERTY TAX)
and)	
)	ORDER
Southport Center, LLC,)	
)	(Consolidating Appeals and
Appellee/Appellant,)	Denying Motion to Extend
)	Discovery Deadline)
vs.)	
)	
Cuyahoga County Board of Revision,)	
and the Cuyahoga County Auditor,)	
)	
Appellees.)	

APPEARANCES:

For the Board of Education	-	Britton, Smith, Peters & Kalail Co., L.P.A. Karrie M. Kalail 3 Summit Park Drive, Suite 400 Cleveland, Ohio 44131
For the County Appellees	-	William D. Mason Cuyahoga County Prosecuting Attorney Timothy J. Kollin Assistant Prosecuting Attorney Justice Center, 8th Floor Cleveland, Ohio 44113
For the Property Owner	-	Siegel Siegel Johnson & Jennings Co., L.P.A. Cecilia Hyun 25700 Science Park Drive, Suite 210 Cleveland, Ohio 44122

Entered May 26, 2009

These matters are before the Board of Tax Appeals pursuant to a motion to extend the discovery deadline filed by counsel for the board of education. The BOE asserts the extension is necessary to allow additional time to receive discovery

responses from Southport Center, LLC (“property owner”). However, the day after the motion was filed, the property owner filed with this board and served the parties its responses to the BOE’s discovery requests. The BOE has not filed a reply memorandum contesting the sufficiency of the property owner’s responses.¹ See Ohio Adm. Code 5717-1-12(C).

Based upon the foregoing, the board concludes that the BOE’s request for the production of documents has now been satisfied. Accordingly, the BOE’s motion to extend the discovery deadline is denied as moot.

Additionally, upon review of the record, and in accordance with Ohio Adm. Code 5717-1-08, these appeals are hereby, sua sponte, consolidated for hearing, administrative, and disposition purposes.

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¹ The board accepts the filed copy of the property owner’s responses as a filing in lieu of its memorandum in opposition.