

OHIO BOARD OF TAX APPEALS

Board of Education of the)
Vandalia Butler City Schools District,)
)
Appellant,)
)
vs.)
)
Montgomery County Board of)
Revision, the Montgomery County)
Auditor, and Richard Valenti, Trustee,)
)
Appellees.)

CASE NO. 2008-M-1937
(REAL PROPERTY TAX)
ORDER
(Compelling Discovery)

APPEARANCES:

For the Appellant - Rich & Gillis Law Group, LLC
Mark H. Gillis
300 East Broad Street, Suite 300
Columbus, Ohio 43215

For the County Appellees - Mathias H. Heck, Jr.
Montgomery County Prosecuting Attorney
Nolan Thomas
Assistant Prosecuting Attorney
301 West Third Street
P.O. Bo 972
Dayton, Ohio 45422

For the Appellee - Property Owner Richard Valenti, Trustee
66 N. Church Lane
Queensbury, New York 12804

Entered February 3, 2009

This matter is before the Board of Tax Appeals pursuant to a motion to compel discovery filed by counsel for the Board of Education of the Vandalia Butler City Schools District (“BOE”). The BOE asks this board to order the property owner, Richard Valenti, Tr, to respond to interrogatories and to comply with its request for the production of documents.

Upon review of the motion, the memorandum in support attached thereto, and the record as a whole, the board finds that the property owner has failed to respond to the discovery requests within the time prescribed by this board's Rules of Practice and Procedure. Ohio Adm. Code 5717-1-11(A)(3). The property owner has provided no reasons why there has been no reply to the discovery requests.

It is therefore ordered that the property owner shall provide to counsel for the BOE both answers to the interrogatories and copies of the requested documents within FOURTEEN (14) days of the issuance of this order.

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