

OHIO BOARD OF TAX APPEALS

Berea City School District)	CASE NOS. 2008-M-2497
Board of Education,)	
)	(REAL PROPERTY TAX)
Appellant,)	
)	ORDER
)	
vs.)	(Granting the BOE's Motion to Compel;
)	Denying the Property Owner's Motion
Cuyahoga County Board of Revision,)	to Compel)
the Cuyahoga County Auditor, and)	
CP-Cleveland Holdings, ADC LLC, and)	
Chavez Urban Land Associates-Lafayette,)	
)	
Appellees,)	
)	

APPEARANCES:

- | | | |
|-----------------------------|---|--|
| For the Bd. of Edn. | - | Kadish Hinkel & Weibel
Kevin Hinkel
1717 East Ninth Street, Suite 2112
Cleveland, Ohio 44114 |
| For the County
Appellees | - | William D. Mason
Cuyahoga County Prosecuting Attorney
Timothy J. Kollin
Assistant Prosecuting Attorney
Courts Tower, Ninth Floor
1200 Ontario Street
Cleveland, Ohio 44113 |
| For the
Property Owner | - | Karen H. Bauernschmidt Co., LPA
Karen H. Bauernschmidt
1370 West 6 th Street, Suite 200
Cleveland, Ohio 44113 |

Entered April 21, 2009

This matter is before the Board of Tax Appeals pursuant to motions to compel discovery filed by both counsel for the Berea City School District Board of

Education (“BOE”) and counsel for the property owner, CP Cleveland ADC, LLC and Chavez Urban Land Associates-Lafayette (“CP Cleveland”). Both parties seek responses to interrogatories and to compliance with requests for the production of documents.

From filings made with this board, it appears that the responses to the propounded interrogatories and request for production of documents were mailed by the BOE concurrently with the filing of the motion to compel. However, there does not appear to be evidence of responses provided by CP Cleveland to the BOE. Therefore, the board finds the motion to compel to be moot, and, therefore, denied. However, the CP Cleveland is ordered to 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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