

OHIO BOARD OF TAX APPEALS

MAS – Timbercreek LP,)
)
 Appellant,) CASE NO. 2008-N-2057
)
 vs.) (REAL PROPERTY TAX)
)
 Montgomery County Board of Revision,) ORDER
 Montgomery County Auditor, and the)
 Dayton City School District,) (Compelling Discovery)
)
 Appellees.)

APPEARANCES:

For the Appellant - Stephen Swaim
Attorney at Law
Barrister Center
118 East Main Street
Columbus, Ohio 43215

For the County
Appellees - Mathias H. Heck, Jr.
Montgomery County Prosecuting Attorney
Laura G. Mariani
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For the Bd. of Edn. - David C. DiMuzio
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Cincinnati, Ohio 45202

Entered February 24, 2009

The Board of Tax Appeals considers this matter pursuant to a motion filed by the Dayton City School District (“BOE”) on February 5, 2009. The BOE asks this board to order appellant, MAS – Timbercreek LP, to answer interrogatories and to

comply with its document requests. Appellant has not responded to the motion. Ohio Adm. Code 5717-1-12(B).

Upon review of the motion and the discovery requests from the BOE attached thereto, we find appellant failed to respond to such requests within the time prescribed by Ohio Adm. Code 5717-1-11(A)(3).

The Board of Tax Appeals therefore orders that appellant shall, within fourteen (14) days of the issuance of this order, comply with the discovery requests previously served by the BOE.

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