

OHIO BOARD OF TAX APPEALS

Richard Bateman,)	
)	CASE NO. 2008-T-1161
Appellant,)	
)	(REAL PROPERTY TAX)
vs.)	
)	ORDER
Franklin County Board of Revision)	
Franklin County Auditor, and Board of)	(Compelling Discovery)
Education of the Columbus City Schools,)	
)	
Appellees.)	

APPEARANCES:

For the Appellant	- David P. Rieser Attorney at Law 844 South Front Street Columbus, Ohio 43206
For the County Appellees	- Ron O'Brien Franklin County Prosecuting Attorney Paul M. Stickel Assistant Prosecuting Attorney 373 South High Street, 20th Floor Columbus, Ohio 43215
For the Appellee Board of Education	- Rich & Gillis Law Group, LLC Jeffrey A. Rich 300 East Broad Street, Suite 300 Columbus, Ohio 43215-3704

Entered February 17, 2009

On February 3, 2009,¹ appellee, the Board of Education of the Columbus City Schools (“BOE”), filed with this board a motion requesting an order compelling appellant,

¹ Although the motion to compel appears initially to be untimely, see, generally, Ohio Adm. Code 5717-1-11(A)(1), the record before this board reveals that notice of the filing of appellant’s appeal was not provided to the BOE until more than three months had passed. Immediately upon receiving the notice mandated by R.C. 5717.01, counsel for the BOE filed an entry of appearance with this board, served its discovery upon appellant, and, when responses were not timely provided, promptly attempted on three separate occasions to secure responses. Because all of its extrajudicial efforts failed, within approximately ninety days of receiving notice of the filing of this appeal, the BOE filed the motion now under consideration. In light of the foregoing, the board finds good cause exists for concluding the motion may be considered on its merits.

Richard Bateman, to respond to discovery previously served upon him. Appellant has failed to respond or object to either the BOE's discovery requests or the present motion.

Upon consideration of the BOE's motion to compel, the documents attached thereto, and the record as a whole, the board finds said motion well taken and therefore appellant is ordered to provide information responsive to the BOE's discovery requests within fourteen days of the issuance of this order.

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