

OHIO BOARD OF TAX APPEALS

K&M Associates, LLC,)
)
 Appellant,)
)
 vs.)
)
 Lorain County Board of Revision,)
 the Lorain County Auditor, and the)
 Elyria City School District Board)
 of Education,)
)
 Appellees.)

CASE NOS. 2008-V-1629
2008-V-1630

(REAL PROPERTY TAX)

ORDER

(Granting Motion to Compel)

APPEARANCES:

- For the Appellant - Kadish, Hinkel & Weibel
Janeane R. Cappara
1717 East Ninth Street
Suite 2112
Cleveland, OH 44114

- For the County Appellees - Dennis Will
Lorain County Prosecutor
John Morrisson
Assistant Prosecuting Attorney
226 Middle Avenue
Third Floor
Elyria, OH 44035

- For the Appellee BOE - Timothy J. Armstrong
Attorney at Law
633 W. Broad Street
Suite 200
Elyria, OH 44035

Entered March 10, 2009

These matters are before the Board of Tax Appeals pursuant to a motion to compel discovery filed by the appellant K&M Associates, LLC. The appellant asks this board to order the appellee Elyria City School District Board of Education

("BOE") to answer discovery requests, issued on November 6, 2008. The BOE has not responded to said motion.

Upon review of the motion, the memorandum in support attached thereto, and the record as a whole, this board finds that the BOE 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).

It is therefore ordered that the BOE, within fourteen (14) days of the issuance of this order, answer the discovery requests issued by the appellant.

ohiosearchkeybta