

OHIO BOARD OF TAX APPEALS

Shereen Hashmi,)
)
 Appellant,) CASE NO. 2008-V-404
) (REAL PROPERTY TAX)
)
 vs.) ORDER
)
 Franklin County Board of Revision,) (Granting Motion to Extend Discovery
 Franklin County Auditor, and the) and Requiring Counsel for Appellant to
 Worthington City Schools Board of) Seek Permission to Appear before the
 Education,) Board of Tax Appeals)
)
 Appellees.)

APPEARANCES:

For the Appellant - Terik Hashmi
Attorney at Law
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Miami Beach, FL 33139

For the County Appellees - Ron O'Brien
Franklin County Prosecuting Attorney
Paul M. Stickel
Assistant Prosecuting Attorney
373 S. High St., 20th Fl.
Columbus, OH 43215

For the Appellee BOE - Rich & Gillis Law Group, LLC
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Entered February 10, 2009

This matter is currently before the Board of Tax Appeals as a result of a motion by the appellee Worthington City School District Board of Education (“BOE”) to extend the discovery period for one hundred and twenty days beyond the one-hundred and twenty day time frame which expired on July 25, 2008.

The BOE's motion provides, in relevant part:

“The basis for this Motion is that the Board of Education received its statutory notice from the Board of Revision on November 24, 2008 indicating that this case was appealed to the Board of Tax Appeals on March 31, 2008 well after the expiration of the 120 day discovery period. The Board of Education promptly initiated discovery to Appellant on December 1, 2008 to which no responses have been received.”

Ohio Adm. Code 5717-1-11, which sets forth the board's rule for allowing discovery, provides, in pertinent part:

“(A) Discovery may be permitted by deposition upon oral examination or written questions; written interrogatories; production of documents or tangible things or permission to enter upon land or other property; and requests for admissions. The ‘Ohio Rules of Civil Procedure,’ effective July 1, 2006, shall be followed for discovery purposes to the extent they are not inconsistent with other board rules. *** Discovery shall be subject to the following limitations:

“(1) Discovery should be commenced by all parties promptly after the filing of a notice of appeal and should be completed as expeditiously as possible. Discovery should be completed not more than one hundred twenty days after the filing of the notice of appeal, which shall also be the last day for a party to seek involvement of the board in discovery matters. Upon motion *and for good cause*, the board may establish other specific times for completion of discovery or consideration of discovery motions.” (Emphasis added.)

No response has been submitted on behalf of the appellant. Further, this board observes that counsel for the appellant does not appear to be licensed to practice law in the state of Ohio.

Therefore, based upon the good cause shown, the discovery period will be extended until March 31, 2009. Counsel for the appellant is further ordered to seek permission to practice before this board, pursuant to Ohio Adm. Code 5717-1-02.

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