

**OHIO BOARD OF TAX APPEALS**

Lynx Associates, L.P., )  
 )  
 Appellant, ) (REAL PROPERTY TAX)  
 )  
 vs. ) ORDER  
 )  
 Franklin County Board of Revision, ) (Compelling Discovery)  
 the Franklin County Auditor, and the )  
 Groveport Madison Local School )  
 District Board of Education, )  
 )  
 Appellees. )

APPEARANCES:

- For the Appellant - Siegel Siegel Johnson & Jennings Co., LPA  
Jay Siegel  
25700 Science Park Drive, Suite 210  
Cleveland, Ohio 44122
  
- For the County Appellees - Ron O'Brien  
Franklin County Prosecuting Attorney  
William Stehle  
Assistant Prosecuting Attorney  
373 South High Street, 20<sup>th</sup> Fl  
Columbus, Ohio 43215
  
- For the Appellee - Rich & Gillis Law Group, LLC  
Board of Education Mark H. Gillis  
300 East Broad Street, Suite 300  
Columbus, Ohio 43215

Entered February 17, 2009

This matter is before the Board of Tax Appeals pursuant to a motion to compel discovery filed January 6, 2009 by appellee Groveport Madison Local School District Board of Education (“BOE”). The BOE asks this board to order appellant Lynx Associates, L.P. (“property owner”) to respond to outstanding discovery requests that were served October 7, 2008.

This matter is now considered on the BOE's motion. No response has been filed by the property owner within the time prescribed by Ohio Adm. Code 5717-1-12(B). The record indicates that the instant appeal was filed by the property owner on September 9, 2008. The BOE timely initiated the discovery process by serving the property owner with its requests. Motion at Affidavit, Ex. A. When responses were not provided, the BOE attempted to resolve this matter extra-judicially prior to filing its motion. Motion at Exs. B, C.

Based on a review of the motion and attached exhibits, the board finds the property owner 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 within fourteen (14) days of the issuance of this order appellant shall answer the interrogatories propounded by the BOE and shall supply copies of requested documents to counsel for the BOE in compliance with Ohio Administrative Code 5717 and the Ohio Rules of Civil Procedure.

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