



The notice of appeal in this matter was filed with this board on September 23, 2008. Pursuant to Ohio Adm. Code 5717-1-11(A)(1), the discovery period would have expired on January 21, 2009 or 120 days from September 23, 2008. The board of education filed its motion for an extension of the discovery deadline on January 16, 2009, prior to January 21, 2009 and the expiration of the discovery period. In its motion and brief in support thereof, the board of education indicated that it did not serve its discovery requests on the property owner until January 12, 2009 because the parties were engaged in settlement negotiations. The board of education also indicated that it intends to continue to seek the cooperation of the property owner in completing discovery. In the meantime, however, the board of education requests this board to extend the discovery deadline to February 20, 2009.

Based on the circumstances set forth in the board of education's motion, said motion is found to be reasonable. Pursuant to Ohio Adm. Code 5717-1-11, the discovery period in this matter is hereby extended to February 20, 2009 (which is thirty days after the expiration of the initial 120 day discovery period prescribed by Ohio Adm. Code 5717-1-11(A)(1)). Said date shall also be the last day upon which counsel may seek this board's further involvement in any discovery matters.

It is further the order of this board that within fourteen (14) days of the issuance of this order the Miami County Board of Revision prepare and file with this board the statutory transcript as required by Ohio Adm. Code 5717-1-09(B).

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