

OHIO BOARD OF TAX APPEALS

Board of Education of the South-Western City Schools,)	
)	
Appellant,)	CASE NO. 2008-Z-1995
)	
vs.)	(REAL PROPERTY TAX)
)	
)	ORDER
Franklin County Board of Revision, Franklin County Auditor, and Lazarus Real Estate II Inc. (Federated Retail Holdings, Inc.) to be transferred to Nationwide Columbus Real Estate Investments, LLC,)	
)	
Appellees.)	(Granting Motion to Compel Discovery and Denying Motion to Extend Discovery Deadline)
)	

APPEARANCES:

For the Appellant Bd. of Edn.	-	Rich & Gillis Law Group, LLC Mark H. Gillis 300 East Broad Street, Suite 300 Columbus, Ohio 43215
For the County Appellees	-	Ron O'Brien Franklin County Prosecuting Attorney Paul M. Stickel Assistant Prosecuting Attorney 373 South High Street, 20th Floor Columbus, OH 43215
For the Appellee Property Owner	-	Karen H. Bauernschmidt Co., LPA Karen H. Bauernschmidt 1370 West 6th Street, Suite 200 Cleveland, Ohio 44113
Copy to ¹	-	Crabbe, Brown & James Laura MacGregor Comek 500 South Front Street, Suite 1200 Columbus, Ohio 43215

Entered March 3, 2009

¹ Counsel for Weston Town Centre LLC, a subsequent owner of the subject property, entered an appearance in this matter and requested a copy of all notices, pleadings and other court filings.

On February 13, 2009, the appellee property owner filed with this board a motion requesting an order compelling the county appellees, Franklin County Board of Revision and Franklin County Auditor, to respond to discovery previously served upon it by the appellee property owner. In its motion, the appellee property owner also requests an order extending the discovery deadline in this matter. The county appellees have failed to respond or object to either the property owner's discovery requests or the present motion.

Upon consideration of the property owner's motion to compel and the documents attached thereto, the board finds said motion well taken and therefore the county appellees are hereby ordered to provide information responsive to the property owner's discovery requests *within fourteen days of the issuance of this order*. See, generally, Ohio Adm. Code 5717-1-11.

In light of the above order, the property owner's motion to extend the discovery deadline is moot and is hereby denied. See *Berea City School District Board of Education v. Cuyahoga Cty. Bd. of Revision* (Interim Order, Dec. 22, 2005), BTA Nos. 2005-M-1030, 1042, unreported (once discovery has been compelled from a party, the board will continue to be a part of the ongoing process until the discovery has been properly provided or, in the alternative, until the motion to compel must be renewed if the party has failed to provide the compelled information).

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