

**OHIO BOARD OF TAX APPEALS**

Fluor Daniel Illinois Inc. & Duke ) CASE NOS. 2009-B-260  
Db a Duke Fluor Daniel, ) 2009-B-261  
)  
Appellant, )  
) (USE TAX)  
vs. )  
)  
Richard A. Levin, Tax Commissioner ) ORDER  
of Ohio, )  
)  
Appellee. ) (Extending Discovery Period)  
)

APPEARANCES:

For the Appellant - Ducharme, McMillen & Associates, Inc.  
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Eleanor Kim, Esq.  
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For the Tax Commissioner - Richard Cordray  
Attorney General of Ohio  
Julie E. Brigner  
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Entered June 16, 2009

This cause and matter came on to be considered by the Board of Tax Appeals upon a motion to extend the discovery deadline filed by counsel for the Tax Commissioner. The motion states that the appellant has consented to the extension.

Ohio Adm. Code 5717-1-11(A)(1) provides that “[U]pon motion and for good cause, the board may establish other specific times for completion of discovery

or consideration of discovery motions.” In light of the injury recently suffered by said counsel, this board finds that the appellee has established good cause for the extension of the discovery deadline. Thus, it is ordered that the discovery period in this matter be extended to June 30, 2009.

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