

## OHIO BOARD OF TAX APPEALS

|                                    |   |                                    |
|------------------------------------|---|------------------------------------|
| Grandis Property, LLC,             | ) |                                    |
|                                    | ) | CASE NO. 2009-T-140                |
| Appellant,                         | ) |                                    |
|                                    | ) | (REAL PROPERTY TAX)                |
| vs.                                | ) |                                    |
|                                    | ) | ORDER                              |
| Cuyahoga County Board of Revision, | ) |                                    |
| Cuyahoga County Auditor, and       | ) | (Compelling Discovery & Denying    |
| Lakewood Board of Education,       | ) | Motion to Extend Discovery Period) |
|                                    | ) |                                    |
| Appellees.                         | ) |                                    |

### APPEARANCES:

|                                   |   |
|-----------------------------------|---|
| For the Appellant -               | Sleggs, Danzinger & Gill Co., L.P.A.<br>Robert K. Danzinger<br>820 W. Superior Avenue, Suite 400<br>Cleveland, Ohio 44113   |
| For the Appellee<br>Bd. of Edn. - | Chester L. Sumpter & Associates, LLC<br>Brian W. Bonham<br>16927 Detroit Avenue, Suite 4<br>Lakewood, Ohio 44107  |
| For the County<br>Appellees -     | William D. Mason<br>Cuyahoga County Prosecuting Attorney<br>Timothy Kollin<br>Assistant Prosecuting Attorney<br>Courts Tower, 8th Floor<br>1200 Ontario Street<br>Cleveland, Ohio 44113 |

Entered June 2, 2009

The Lakewood Board of Education asks this board to order the appellant to answer interrogatories and to comply with its requests for the production of documents. The appellant has not responded to the motion. Ohio Adm. Code 5717-1-12(B). The BOE also asks this board to extend the discovery deadline established by

Ohio Adm. Code 5717-1-11(A) due to the appellant's failure to respond to BOE's requests.

Upon review of the motion, the memorandum in support attached thereto, and the record as a whole, we find the appellant has failed to respond to the discovery requests within the time prescribed by Ohio Adm. Code 5717-1-11(A)(3).

The Board of Tax Appeals therefore orders that Grandis Property, LLC, shall, within fourteen (14) days of the issuance of this order, comply with the discovery requests previously served by the BOE.

The BOE has failed to show good cause for the requested extension to the discovery period. Ohio Adm. Code 5717-1-11(A)(1). The request is therefore denied.

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