

OHIO BOARD OF TAX APPEALS

Board of Education of the Columbus)	
City Schools,)	
)	CASE NO. 2009-Z-154
Appellant,)	
)	(REAL PROPERTY TAX)
vs.)	
)	ORDER
Franklin County Board of Revision,)	
Franklin County Auditor, and West)	(Granting Motion to
& Del, LLC,)	Compel Discovery)
)	
Appellees.)	

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, Ohio 43215
For the Appellee Property Owner	-	West & Del, LLC 301 North Hague Avenue Columbus, Ohio 43204
Copy to ¹	-	Timothy J. McGrath Attorney at Law 575 South Third Street Columbus, Ohio 43215

Entered May 12, 2009

¹ While Mr. McGrath has not entered an appearance in this matter pursuant to Ohio Adm. Code 5717-1-03, a copy of this order is being sent to him as the statutory transcript certified to this board by the county auditor indicates that he participated in the proceedings before the county board of revision on behalf of the property owner.

This matter is before the Board of Tax Appeals pursuant to a motion to compel discovery filed by counsel for the Board of Education of the Columbus City Schools (“BOE”). The BOE asks this board to order the property owner, West & Del, LLC,² to respond to interrogatories and to comply with its request for the production of documents. The property owner’s counsel has failed to respond or object to either the BOE’s discovery requests or the present motion.

Upon consideration of the BOE’s motion to compel and the documents attached thereto, the board finds said motion well taken and therefore the property owner is hereby ordered to provide information responsive to the BOE’s discovery requests within fourteen (14) days of the issuance of this order. See, generally, Ohio Adm. Code 5717-1-11.

ohiosearchkeybta

² The DTE Form 3 included in the statutory transcript indicates that a counter-complaint was filed with the county board of revision by the property owner. The statutory transcript, however, does not contain a copy of said counter-complaint.