

Board of Education of the)	
Vandalia-Butler City Schools,)	
)	CASE NO. 96-P-1220
Appellant,)	
)	(REAL PROPERTY TAX)
vs.)	
)	ORDER
Montgomery County Board of)	
Revision, Montgomery County)	(Designation as Complex Case)
Auditor, and City of Dayton,)	
)	
Appellees.)	

APPEARANCES:

For the School District	-	Jeffrey A. Rich Teaford, Rich and Wheeler 20 East Broad Street Columbus, Ohio 43215-3682
For the Property Owner/City	-	Ted Clevenger Squire, Sanders and Dempsey 41 South High Street Columbus, Ohio 43215
For the County	-	Mathias H. Heck, Jr. Montgomery County Prosecuting Attorney 301 West Third Street Fifth Floor Dayton, Ohio 45402

Entered: April 11 , 1997

By this order reference is made to a telephone conference with counsel for the city and counsel for the school district conducted on April 8, 1997, concerning the status of the outstanding motion to compel discovery. In the course of the discussion, counsel brought to our attention the complex nature of this appeal. Upon review, we find this matter does have one or more characteristics that justify designation of this appeal for "complex litigation" within the meaning of Ohio Adm. Code 5717-1-07.

Specifically, we find:

- (1) this appeal concerns the valuation of the Dayton International Airport;
- (2) the valuation involves a large sum of money;
- (3) issues are claimed to exist concerning the exempt versus non-exempt portions of the property (complaint, line 8.);
- (4) unusual and complex issues of fact are likely to arise within the meaning of Ohio Adm. Code 5717-1-07(A)(3); and,
- (5) this appeal is likely to require increased supervision and special case management within the meaning of Ohio Adm. Code 5717-1-07(A)(4).

IT IS THEREFORE ORDERED that this appeal be designated as "complex litigation" within the purview of Ohio Adm. Code 5717-1-07, and counsel are requested to review their files and confer with each other concerning the preparation and scheduling of this matter, including but not limited to such matters as discovery, appraisal exchange, property inspection, the desirability of prehearing briefs, hearing dates, settlement status (we will not inquire into specific subject matter of settlement discussions) and any other matter counsel may deem important. Counsel for the school district has indicated he will withdraw his motion to compel discovery while these matters are being rescheduled, reserving the right to refile should it become necessary. We would request counsel to confer with each other and select a date for a telephone conference within the month of April, and confirm the date in

writing. All counsel of record are requested to partici

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