

In The Supreme Court of Ohio

Case Information Statement

06-2389

Case Name: City of Elyria, Ohio, City of Avon Lake, Ohio, City of North Ridgeville, Ohio and Amherst Township, Ohio, Appellants vs. William W. Wilkins, Tax Commissioner of Ohio, et al, Appellees	Case No.: BTA 2004-T-1166
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I. Has this case previously been decided or remanded by this Court? Yes No

If so, please provide the Case Name: _____
Case No.: _____
Any Citation: _____

II. Will the determination of this case involve the interpretation or application of any particular case decided by the Supreme Court of Ohio or the Supreme Court of the United States? Yes No

If so, please provide the Case Name and Citation: ~~City of Cincinnati vs. Budget Commission of Hamilton County, Ohio (1979) 59 Ohio St.2d 43; City of Painesville vs. Lake County Budget Commission (1978) 56 Ohio St.2d 282~~

Will the determination of this case involve the interpretation or application of any particular constitutional provision, statute, or rule of court? Yes No

If so, please provide the appropriate citation to the constitutional provision, statute, or court rule, as follows:

U.S. Constitution: Article _____ Section _____ Ohio Revised Code: R.C. ORC 5747.55, 5747.53, 5747.63
Ohio Constitution: Article _____ Section _____ Court Rule: _____
United States Code: Title _____ Section _____ Ohio Admin. Code: O.A.C. _____ - _____ - _____

III. Indicate up to three primary areas or topics of law involved in this proceeding (e.g., jury instructions, UM/UIM, search and seizure, etc.):

- 1) ~~Administrative Agency - Ohio Board of Tax Appeals-Decision Denying Subject matter jurisdiction under ORC 5747.55 (C) (3) and 5747.55 (D);~~ Subject
- 2) Application of RC 5747.55 (D), and 5705.37
- 3) Application of ORC 5747.53 and 5747.63, and 5705.37

IV. Are you aware of any case now pending or about to be brought before this Court that involves an issue substantially the same as, similar to, or related to an issue in this case? Yes No

If so, please identify the Case Name: City of Elyria, et al, Appellants vs. William W. Wilkins, Tax Commissioner of Ohio, et al, Appellees
Case No.: 06-2293
Court where Currently Pending: Ohio Supreme Court
Issue: BTA Subject Matter Jurisdiction under ORC 5747.55 (C) (3), 5705.37, 5747.53, 5747.63 and 5747.55 (D).

Contact information for appellant or counsel:

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City	State	Zip Code	

FILED
DEC 28 2006
MARCIA J MENGEL, CLERK
SUPREME COURT OF OHIO

CERTIFICATE OF SERVICE

Terry S. Shilling on behalf of all Appellants hereby certifies that a copy of this Case Information Statement for the appeal from the Ohio Board of Tax Appeals was sent by certified mail to Counsel for Appellees and to all Appellees as herein listed on the 28th day of December, 2006.

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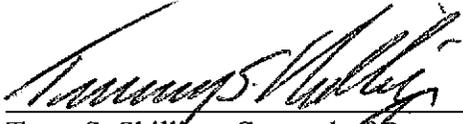
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