

IN THE SUPREME COURT OF OHIO

Carroll E. Newman,
Adams County Auditor,

Appellant

v.

Richard A Levin,
Tax Commissioner of Ohio

and

Cincinnati Gas & Electric Co.

and

Dayton Power and Light Co.

and

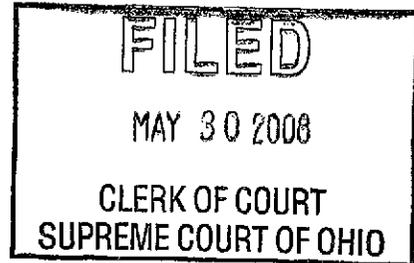
Columbus Southern Power
Co.

Appellees

Case No. 07-1054

On Appeal from Ohio Board of Tax Appeals

Ohio Board of Tax Appeals Case Nos.
2002-P-170, 171 and 172



NOTICE OF WITHDRAWAL OF APPEARANCE OF COUNSEL FOR
APPELLEES/CROSS APPELLANTS UTILITIES

Nancy Hardin Rogers (0002375)
Attorney General of Ohio
Lawrence D. Pratt (0021870)
Assistant Attorney General
30 East Broad Street, 16th Floor
Columbus, Ohio 43215-3428
Telephone: (614) 466-5967
Facsimile: (614) 466-8226

Counsel for Appellee
Tax Commissioner of Ohio

Anthony L. Ehler (0039304)
Jeffrey Allen Miller (0072702)
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
P.O. Box 1008
Columbus, OH 43216-1008
Telephone: (614) 464-8282
Facsimile (614) 719-4702

Counsel for Appellees/Cross Appellants
Cincinnati Gas & Electric Co.
The Dayton Power and Light Company
Columbus Southern Power Co.

David Kelley (0043619)
Adams County Prosecutor
David C. DiMuzio (0034428)
Counsel of Record
David C. DiMuzio, Inc.
1900 Kroger Building
1014 Vine Street
Cincinnati, Ohio 45202

Counsel for Appellant
Adams County Auditor

**NOTICE OF WITHDRAWAL OF APPEARANCE OF COUNSEL FOR
APPELLEES/CROSS APPELLANTS UTILITIES**

Pursuant to Supreme Court Rule of Practice I, Section 1(B), please take notice that Douglas L. Rogers, of Vorys, Sater, Seymour and Pease LLP, 52 East Gay Street, P.O. Box 1008, Columbus, Ohio, 43214, is hereby withdrawing his appearance of counsel in the above-captioned case on behalf of Appellees/Cross Appellants Cincinnati Gas & Electric Co., The Dayton Power and Light Company, and Columbus Southern Power Co. ("Utilities"). Anthony L. Ehler and Jeffrey Allen Miller of Vorys, Sater, Seymour and Pease LLP will continue to appear in this case as counsel for the Utilities.

Respectfully submitted,

Anthony L. Ehler /cong (0077812)
Anthony L. Ehler, Esq.
Jeffrey Allen Miller, Esq.
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
P.O. Box 1008
Columbus, Ohio 43216-1008
Telephone (614) 464-8282
Facsimile (614) 719-4702

Counsel for Appellees/Cross Appellants
Cincinnati Gas & Electric Co.
The Dayton Power and Light Company
Columbus Southern Power Co.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Notice of Withdrawal of Appearance of Counsel for Appellees/Cross Appellants Utilities was sent by regular U.S. mail to counsel for Appellee Tax Commissioner of Ohio, Nancy Hardin Rogers and Lawrence D. Pratt, 30 E. Broad St., 25th Floor, Columbus, Ohio 43215, and Counsel for Appellant Adams County Auditor, David C. DiMuzio, David C. DiMuzio, Inc., 1900 Kroger Building, 1014 Vine St., Cincinnati, Ohio 45202 on May 30, 2008.

Anthony L. Ehler /cong (0077812)
Anthony L. Ehler, Esq.

Counsel for Appellee/Cross Appellants
Cincinnati Gas & Electric Co.
The Dayton Power and Light Company
Columbus Southern Power Co.