

IN THE SUPREME COURT OF OHIO

Appeal From the Ohio Board of Tax Appeals

HOME DEPOT U.S.A., INC. :
: :
Appellant, :
: Case No. 08-1182
v. :
: Appeal from Ohio Board of Tax Appeals
WILLIAM W. WILKINS [RICHARD A. :
Case Nos. 2006-M-206
LEVIN], TAX COMMISSIONER OF OHIO, :
2006-M-207
: :
Appellee. :

NOTICE OF WITHDRAWAL

JEFFRY J. ERNEY (0040193)
Baker & Hostetler LLP
3200 National City Center
1900 East 9th Street
Cleveland, OH 44114
Telephone: (216) 621-0200
Facsimile: (216) 696-0740

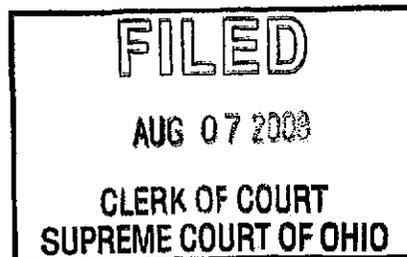
jerney@bakerlaw.com

COUNSEL FOR APPELLANT

NANCY HARDIN ROGERS ()
Attorney General of Ohio
DAMION M. CLIFFORD (0077777)
Assistant Attorney General
(Counsel of Record)
30 East Broad Street, 25th Floor
Columbus, OH 43215-3428
Telephone: (614) 466-5967
Facsimile: (614) 466-8226

dclifford@ag.state.oh.us

COUNSEL FOR APPELLEE



IN THE SUPREME COURT OF OHIO

HOME DEPOT U.S.A., INC. :
 :
 Appellant, :
 : Case No. 08-1182
 v. :
 : Appeal from Ohio Board of Tax Appeals
 WILLIAM W. WILKINS [RICHARD A. : Case Nos. 2006-M-206
 LEVIN], TAX COMMISSIONER OF OHIO, : 2006-M-207
 :
 Appellee. :

NOTICE OF WITHDRAWAL

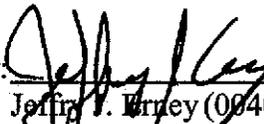
Pursuant to S. Ct. Rule 1, Section 3(A), I, Jeffrey J. Erney, withdraw from the above-entitled case. Appellant has designated Gregory J. Gawlik as Counsel of Record in the above-entitled case, pursuant to a separately filed Notice of Change of Counsel of Record.

Dated: August 07, 2008.

Respectfully Submitted,

HOME DEPOT, U.S.A., INC.

By: _____


Jeffrey J. Erney (0040193)
Baker & Hostetler LLP
3200 National City Center
1900 East Ninth Street
Cleveland, OH 44114
Telephone: (216) 621-0200
Facsimile: (216) 696-0740

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the Notice of Withdrawal of Record was sent by U.S. Certified Mail, postage pre-paid, to Damion M. Clifford, 30 East Broad Street, 25th Floor, Columbus, OH 43215-3428, counsel for Appellee, on this 07 day of August, 2008.



JEFFREY J. JERNEY (0040193)
Baker & Hostetler LLP
3200 National City Center
1900 East Ninth Street
Cleveland, OH 44114
Telephone: (216) 621-0200
Facsimile: (216) 696-0740

jerney@bakerlaw.com

COUNSEL FOR APPELLANT