

ORIGINAL

IN THE SUPREME COURT OF OHIO

FOREST PARK LIMITED PARTNERSHIP:

CASE No. 09-1317

Appellee,

vs.

MONTGOMERY COUNTY BOARD OF REVISION, MONTGOMERY COUNTY AUDITOR & TAX COMMISSIONER OF OHIO

Appeal from the Ohio Board of Tax Appeals

Appellees,

Board of Tax Appeals
Case No. 2006-V-2163

vs.

DAYTON CITY SCHOOL DISTRICT, BOARD OF EDUCATION

Appellant.

PROOF OF FILING

TO THE CLERK OF THE SUPREME COURT OF OHIO:

Pursuant to Revised Code § 5714.04, the Appellant, Dayton City School District, Board of Education, hereby certifies that a copy of the Notice of Appeal, and Demand for Filing Certified Transcript of Record Pursuant to § 5714.04 Ohio Revised Code, was filed with the Supreme Court on July 21, 2009 and was filed with the Board of Tax Appeals on July 21, 2009.

FILED
JUL 21 2009
CLERK OF COURT
SUPREME COURT OF OHIO

David C. DiMuzio (0034428)
COUNSEL FOR APPELLANT
Dayton City District School,
Board of Education

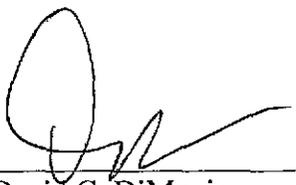
PROOF of SERVICE

I hereby certify that a copy of this Proof of Filing was sent on July 20, 2009 by Certified Mail, return receipt requested to:

To: Robert Danzinger
820 W Superior Ave Ste 400
Cleveland OH 44113-1800
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To: Nolan Thomas
Montgomery County Prosecutor's Office
301 W. Third Street
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Dayton, Ohio 45422
Fax (937) 225-4822

To: Mr. Richard Levin
Tax Commissioner of Ohio
30 East Broad Street
22nd Floor
Columbus, Ohio 43215



David C. DiMuzio