

ORIGINAL

IN THE SUPREME COURT OF OHIO

International Business Machines Corporation :
and IBM Credit Corporation, :

Appellants, :

v. :

Richard A. Levin, :
Tax Commissioner of Ohio, :

Appellee. :

Supreme Court Case No. 09-1296

Appeal from the
Ohio Board of Tax Appeals

BTA Case Nos. 2007-Z-1140
 2007-Z-1141
 2007-Z-1143

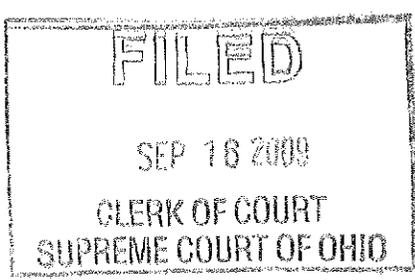
APPELLANTS' NOTICE OF INTENTION NOT TO FILE A SUPPLEMENT

Richard Cordray
Attorney General of Ohio
Sophia Hussain
Deputy Attorney General
30 East Broad Street
Columbus, Ohio 43215
(614) 466-4320

Attorneys for Appellee
Tax Commissioner of Ohio

Edward J. Bernert (0025808)
(Counsel of Record)
Kelvin M. Lawrence (0082574)
Baker & Hostetler LLP
65 East State Street, Suite 2100
Columbus, Ohio 43215
(614) 228-1541
(614) 462-2616 (Fax)
ebernert@bakerlaw.com
klawrence@bakerlaw.com

Attorneys for Appellants
International Business Machines
Corporation and IBM Credit Corporation



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APPELLANTS' NOTICE OF INTENTION NOT TO FILE A SUPPLEMENT

International Business Machines Corporation and IBM Credit Corporation (collectively "IBM") have determined that no portion of the record is necessary for the Supreme Court to determine the questions presented, and that preparation of a supplement is therefore unwarranted. Pursuant to S. Ct. Prac. R. VII(B), IBM hereby files notice of its intention not to file a supplement.

Respectfully submitted,



Edward J. Bernert (0025808)
Kelvin M. Lawrence (0082574)
Baker & Hostetler LLP
65 East State Street, Suite 2100
Columbus, Ohio 43215
(614) 228-1541
ebernert@bakerlaw.com
klawrence@bakerlaw.com

Attorneys for Appellants
International Business Machines
Corporation and IBM Credit Corporation

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Notice of Intention Not to File a Supplement was served upon Sophia Hussain, Taxation Section, Ohio Attorney General's Office, 30 East Broad Street, 25th Floor, and Columbus, Ohio 43215 by certified mail this 16th day of September, 2009.



Kelvin M. Lawrence