

ORIGINAL

IN THE SUPREME COURT OF OHIO

Global Knowledge Training, LLC,)	
)	Case No. 09-1543
Appellant,)	
)	
vs.)	Appeal from the Ohio
)	Board of Tax Appeals
Richard A. Levin,)	
Tax Commissioner of Ohio,)	
)	
Appellee.)	BTA Case No. 2006-V-471

MOTION FOR THE FULL COURT TO HEAR ORAL ARGUMENT

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FILED
DEC 30 2009
CLERK OF COURT
SUPREME COURT OF OHIO

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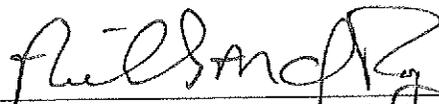
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Pursuant to Rules of Practice of the Ohio Supreme Court, Rule IX, Section 7(A), Appellant Global Knowledge Training, LLC (“Global”) respectfully requests that the full Court hear oral argument in this appeal. Global has challenged R.C. 5739.01(Y)(1)(b) as facially unconstitutional under the First and Fourteenth Amendments to the United States Constitution and Sections 2 and 11 of Article I of the Ohio Constitution. The statute taxes training in computer programming and operation, which is protected speech, based on its content, in violation of the rights to freedom of speech and equal protection. The statute also is unconstitutionally vague, in violation of the rights to due process and freedom of speech. Given the important constitutional issues presented, this case requires the attention and consideration of the full Court in oral argument. Additionally, the decisions by the Ohio Tax Commissioner and the Ohio Board of Tax Appeals seek to improperly expand the scope of the subject tax beyond that permitted by Ohio law. Such a potential expansion of Ohio tax law, and the issues of statutory construction that are implicated, require the attention and consideration of the full Court

in oral argument. Global respectfully requests the full Court to reverse the Board of Tax Appeals decision in this case as to all of Global's courses found taxable.

Respectfully submitted,



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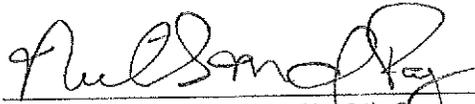
Counsel for Appellant
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CERTIFICATE OF SERVICE

This is to certify that on this 30th day of December 2009, a copy of the Motion for the Full

Court to Hear Oral Argument was sent via regular U.S. mail to:

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