

ORIGINAL

IN THE SUPREME COURT OF OHIO

NBC-USA Housing, Inc.-Five  
(d.b.a.) Love Zion Manor

Case No. 2009-0919

Appellant,

v.

Appeal from the Ohio Board of Tax  
Appeals

William W. Wilkins [Richard A. Levin]  
Tax Commissioner of Ohio, Board of  
Education of the Columbus City School  
District, and Franklin County Auditor

BTA Case No. 2006-Z-1492

Appellees.

RECEIVED  
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CLERK OF COURT  
SUPREME COURT OF OHIO

APPELLEE BOARD OF EDUCATION OF THE  
COLUMBUS CITY SCHOOL DISTRICT'S  
NOTICE TO WAIVE ORAL ARGUMENT

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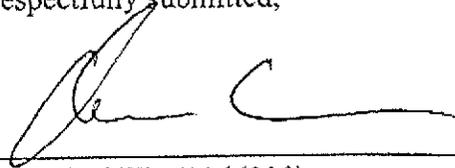
COUNSEL FOR APPELLEE FRANKLIN  
COUNTY AUDITOR

COUNSEL FOR APPELLEE  
BOARD OF EDUCATION OF THE  
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DISTRICT

FILED  
FEB 08 2010  
CLERK OF COURT  
SUPREME COURT OF OHIO

Now comes Appellee Board of Education of the Columbus City School District pursuant to Supreme Court Rule IX §3(A) and respectfully waives Appellee Board of Education's right to oral argument. Appellee Board of Education requests this Court to determine the merits of the appeal upon the record and briefs filed therein. This matter is set for oral argument on February 16, 2010.

Respectfully submitted,



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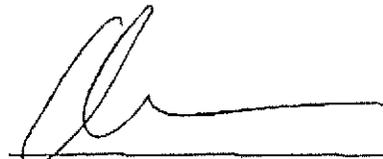
**CERTIFICATE OF SERVICE**

A true copy of the foregoing Notice to Waive Oral Argument was sent this 8<sup>th</sup> day of February, 2010 by facsimile transmission and regular U.S. mail, postage prepaid to:

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