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BOARD OF TAX APPEALS

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**In the Supreme Court of Ohio**  
(Praecipe)

Teddy L. Wheeler,  
In his Capacity of Pike County Auditor,

Appellee,

v.

Joseph W. Testa,  
Tax Commissioner of Ohio,

Appellee,

And

Martin Marietta Energy Systems, Inc.,  
a/k/a Lockheed Martin Energy Systems, Inc.

Appellant.

Case No. 2014-1362

Appeal from the Ohio  
Board of Tax Appeals

BTA Case No. 2012-2043

**FILED**  
AUG 13 2014  
BOARD OF TAX APPEALS  
COLUMBUS, OHIO

**FILED**  
AUG 13 2014  
CLERK OF COURT  
SUPREME COURT OF OHIO

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**DEMAND TO CERTIFY TRANSCRIPT OF RECORD OF PROCEEDINGS**

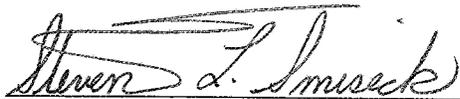
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To: The Secretary of the Ohio Board of Tax Appeals:

Appellant Martin Marietta Energy Systems, Inc., a/k/a Lockheed Martin Energy Systems, Inc., who has filed a Notice of Appeal with the Supreme Court of Ohio pursuant to R.C. 5717.04, hereby makes this written demand upon the Secretary of the Ohio Board of Tax Appeals to prepare, transmit and file with the Supreme Court of Ohio a certified transcript of the record of the proceedings of the Board pertaining to its decision and order in the above-styled matter, including in the certified transcript its journal entry, the original papers in the case or a transcript thereof and all evidence with originals or copies of all exhibits as adduced in the proceedings

considered by the Board in *Teddy L. Wheeler in his Capacity as Pike County Auditor v. Joseph W. Testa, Tax Commissioner of Ohio*, et al., being BTA Case No. 2012-2043.

Respectfully submitted,



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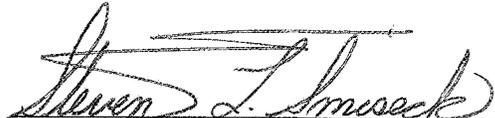
AND

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*Legal Counsel for, Martin Marietta Energy Systems, Inc.,  
a/k/a Lockheed Martin Energy Systems, Inc.*

**CERTIFICATE OF SERVICE**

This is to certify that a true copy of the foregoing Praecipe/ Demand to Certify Transcript of Record of Proceedings was filed by the undersigned counsel with the Board of Tax Appeals, pursuant to R.C. 5717.04, and was delivered by U.S. CERTIFIED MAIL to counsel of record for Appellee Tax Commissioner, The Honorable Mike DeWine, Attorney General of Ohio and Daniel W. Fausey, Assistant Attorney General, State of Ohio, 30 East Broad Street, 25th Floor, Columbus, Ohio 43215-3428; and to counsel for the Pike County Auditor, Kevin L. Shoemaker, Shoemaker & Howarth, LLP, 471 East Broad Street, Suite 2001, Columbus, Ohio 43215, on this 13<sup>th</sup> day of August, 2014.

  
Steven L. Smiseck (0061615)