

BEFORE THE BOARD OF TAX APPEALS OF THE STATE OF KANSAS

IN THE MATTER OF _____ DOCKET No. _____

CASE STATUS SURVEY

Pursuant to Directive K.A.R. 94-5-1, the Board of Tax Appeals of the State of Kansas ("Board") hereby requests the party to who this Case Status Survey is provided (the "Responding Party") complete and return the Survey within 21 days of receipt. The individual(s) completing this Survey on behalf of the Responding Party shall answer all questions on this survey to the best of his/her ability and knowledge at the time. If insufficient information is available to answer a question, please provide a brief statement explaining when the Responding Party believes it may be able to complete the Survey. Attach additional pages as necessary to fully respond to each question in this Survey.

This Case Status Survey is submitted for the Board's planning purposes only; Parties are not bound to the representations made in this Survey as they would be in a Pretrial Order; however, parties should be aware that scheduling decisions are made based upon the responses in this Survey. Any material changes to the information submitted herein may result in delays in setting the matter for hearing or rescheduling.

Completed surveys must be emailed to the Board Secretary at BOTA.MailDesk@ks.gov. The responding party shall also email or mail a copy of the completed survey to the opposing party(ies) in this matter.

RESPONDING PARTY: _____

Name: _____

Address: _____

Telephone Number: _____

Email Address: _____

Individual completing survey on behalf of the Responding Party: _____

Name: _____

Address: _____

Telephone Number: _____

Email Address: _____

Relationship to Responding Party: _____

Type of Case

- Commercial
- Residential
- Agricultural Classification Dispute
- Division of Taxation Appeal
- Other (_____)

Approximate property value at issue: _____

Tax Year(s) at issue: _____

I. Anticipated Appearances

A. For the Taxpayer(s):

B. For the County/Taxing Entity:

Does the responding party anticipate retaining new/additional counsel?

(Yes) (No)

If yes, how many days/weeks does the responding party need to retain additional counsel? _____

II. Jurisdiction/Evidentiary Burden

Are there any objections to the Board's jurisdiction over the subject matter of the appeal or the parties? If so, provide a brief explanation:

Which party to the matter has the evidentiary burden in this matter? If there is a dispute as to the burden, please provide a brief explanation:

III. **Discovery**

Does the responding party anticipate conducting written discovery?
_____ (Yes) _____ (No)

If yes, check the type of written discovery the responding party intends to serve:

_____ Interrogatories

_____ Requests for Production

_____ Depositions by written questions

_____ Requests for inspection

How many days/weeks does the responding party believe are necessary to complete written discovery exchange?

Does the responding party anticipate conducting any depositions?
_____ (Yes) _____ (No)

If yes, how many depositions? _____

Does the responding party intend to retain an expert witness or witnesses?
_____ (Yes) _____ (No)

If yes, how many days/weeks does the responding party need for the expert witness(es) to complete an expert report/appraisal?

Does the responding party intend to retain any rebuttal expert witness/witnesses? _____ (Yes) _____ (No)

If yes, how many days/weeks does the responding party need for its rebuttal expert(s) to prepare an expert report/appraisal?

Does the responding party anticipate the need to file any discovery motions at this time? _____ (Yes) _____ (No)

Does the responding party believe it would be necessary and/or beneficial for the Board to conduct a status conference for the purpose of setting specific discovery deadlines? _____ (Yes) _____ (No)

IV. Motions

Does the responding party anticipate filing any dispositive motion(s)?
_____ (Yes) _____ (No)

If yes, does the responding party believe it would be necessary and/or beneficial for the Board to conduct a status conference for the purpose of setting dispositive motion deadlines? _____ (Yes) _____ (No)

V. Settlement

Have the parties had any settlement discussions? _____ (Yes) _____ (No)

If yes, does the responding party believe there is a reasonable prospect of settlement? _____ (Yes) _____ (No)

VI. Hearing

If the matter proceeds to evidentiary hearing, how many hours/day(s) does the responding party believe are necessary for the hearing?

How many witnesses of each type does the responding party anticipate calling?

_____ Fact witnesses

_____ Expert witnesses

_____ Rebuttal witnesses

_____ Rebuttal experts

How many exhibits does the responding party anticipate introducing?

What type of hearing does the responding party prefer?
_____ In person _____ Zoom

Are there any issues of fact in the matter that could be addressed by stipulation of the parties? _____ (Yes) _____ (No)

If yes, does the responding party believe it is likely the parties could agree to a stipulation as to certain facts? _____ (Yes) _____ (No)

How many days/weeks from the date of response to this survey does the responding party need to prepare for an evidentiary hearing?

Are there any other matters (including other tax years) which the responding party believes should be consolidated with the current matter for purposes of hearings? _____ (Yes) _____ (No)

If yes, please provide the docket number(s) of those matters if available, or a brief explanation of the subject matter and parties:

Please list any known dates(s) within the next twelve (12) months that the responding party, its representative(s), fact witnesses(es), or expert witness(es) would be unavailable for a hearing:

VII. Case Management

Does the responding party believe the case is a good candidate for intensive case management? Intensive case management may include more frequent status conferences with the Board or specific scheduling order(s).
_____ (Yes) _____ (No)

VIII. Other Information/Requests

Is there any other information you believe would be helpful to the Board to consider when scheduling this matter for hearing? (attach additional sheets if necessary)

Are there any specific requests that you would like to make concerning the scheduling of this matter? (attach additional sheets if necessary)
