EDBOW, INC., APPELLEE, *v.* FRANKLIN COUNTY BOARD OF REVISION *ET AL.*, APPELLANTS.

[Cite as *Edbow, Inc. v. Franklin Cty. Bd. of Revision*, 1999-Ohio-149.]

Rules of Practice—S.Ct.Prac.R. XIV(5) applied—Reasonable attorney fees awarded when frivolous appeal filed.

(No. 98-1809—Submitted May 25, 1999—Decided July 28, 1999.)

APPEAL from the Board of Tax Appeals, No. 96-T-476.

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Todd W. Sleggs & Associates, *Todd W. Sleggs* and *Susan K. French-Scaggs*, for appellee.

Ron O'Brien, Franklin County Prosecuting Attorney, and *Matthew H. Chafin*, Assistant Prosecuting Attorney, for appellants Franklin County Auditor and Franklin County Board of Revision.

Teaford, Rich & Wheeler, Jeffrey A. Rich and *James R. Gorry, Jr.*, for appellant Columbus City School District Board of Education.

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{¶ 1} On April 6, 1999, Edbow, Inc., appellee, filed a motion seeking reasonable expenses, attorney fees, and costs under S.Ct.Prac.R. XIV(5). In the motion, Edbow claims that we should impose a sanction on appellants for filing a frivolous appeal.

{¶ 2} Upon consideration of this motion and appellants' memorandum *contra*, we find this appeal is not reasonably well grounded in fact or warranted by existing law and, therefore, is frivolous. See *Edbow, Inc. v. Franklin Cty. Bd. of Revision* (1999), 85 Ohio St.3d 656, 710 N.E.2d 1112. We hereby award reasonable attorney fees to appellee.

{¶ 3} Upon reviewing the statement for services submitted by counsel for appellee, we reduce counsel's rate to $175 per hour and reduce counsel's billable time to 11.5 hours. Accordingly, we award attorney fees of $2,012.50 to appellee. We do not award any additional charges or travel expenses because counsel has not provided any documentation of such charges.

{¶ 4} IT IS ORDERED by this court that appellants pay, as a sanction, $2,012.50 within thirty days of the date of this entry by certified check or money order made payable to Edbow, Inc.

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER, COOK and LUNDBERG STRATTON, JJ., concur.

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