IN THE COURT OF COMMON PLEAS PORTAGE COUNTY, OHIO

OMMON PLEAS
Y, OHIO

DELORES REED
PORTAGE COUNTY, CIORK

CASE NO. 93 CV 0260

JUDGE JOSEPH R. KAINRAD

STATE OF OHIO ex rel. BETTY D. MONTGOMERY ATTORNEY GENERAL OF OHIO,

Plaintiff,

-vs-

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JOURNAL ENTRY

A & B REFUSE DISPOSERS, INC. et al.

and

TRUST FBO RODERICK J. WAGNER, et al.

This matter came on for determination upon the Motion of the State of Ohio through its Attorney General for partial Summary Judgment against the Defendant, A & B Refuse and Cynthia Wagner, on the issue of liability of such Defendants.

This Court has made a review of all matters on file, including judicial admissions, deposition testimony, affidavits and admissions and other documents submitted by the evidence, and finds after reviewing such evidence and documents that there is no dispute of material fact that under the law the State is entitled to judgment on the issue of liability against the Defendant, A & B, on Counts 2 through 10 of the Complaint and Counts 13 through 30 of the Complaint.

The Court further finds there's no dispute of material fact under the law, that the State is entitled to judgment on the issue of liability against A & B on Counts 12 and 32 of the Complaint.

Upon similar review, the Court finds that there is no dispute of material fact under the law, that the Defendant, Wagner, exercised complete discretion and control over the activities of

A & B and is personally liable for the violations of law, and the State therefore is entitled to judgment on the issue of liability against Wagner on Counts 2 through 10, 13 through 30, and 12 and 32.

The Clerk is directed to serve upon all parties notice of this judgment and its date of entry upon the journal in accordance with Civ. R. 58(B).

JOSEPH R. KAINRAD, JUDGE

cc: Cynthia Wagner Carl Rafoth

A & B Refuse Disposers, Inc.

Denise Smith
David G. Cox

FILED IN THE CASE IDENTIFIED BELOW:

Notice is being mailed by regular mail on or before the 3rd day after the ing date of the entry to each attorney of record or each party with no attorney of record. Notice will not be sent to parties in default for failure to appear.

MAIL TO:

GERTRUDE M KELLY
JEANNETTE MARIE WEAVER
GEOFFREY J PETERS
A & B REFUSE DISPOSERS INC
TRUST FBO STACEY C WAGNER
TRUST FBO JOHN D WAGNER

DAVID G COX
DENISE LYNN SMITH
CYNTHIA WAGNER
TRUST FBO RODERICK J WAGNER
TRUST FBO CAREY C WAGNER
CARL RAFOTH

CASE NUMBER: 93CV00260

STATE OF OHIO EX REL VS A & B REFUSE DISPOSERS INC

COURT OF COMMON PLEAS

Date entry was filed 12/13/95

DEC 13 1995

Court of Common Pleas Portage County Ravenna Ohio

DELORES REED, Clerk

DELORES REED, CLERR OF COURTS PORTAGE COUNTY, OHIO

DEDVINA CO

December 13, 1995

CERTIFICATE OF MAILING
CIVIL RULE 4.6 (D)
COMPLETED AND FILED BY THE CLERK

THE DOCUMENT	DESCRIBED			ORDINARY	MAIL	то
ATTYS/PARTIES BY	THE CLERK O	ON	12/13/95			

DELORES RED, CLERK OF COURTS

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