

IN THE COURT OF COMMON PLEAS
• MORROW COUNTY, OHIO

FILED
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MORROW COUNTY
CLERK OF COURT'S
GERALDINE G. PARK

STATE OF OHIO, *ex rel.*
JIM PETRO
ATTORNEY GENERAL OF OHIO

Plaintiff,

-v-

MICHAEL D. BENEDICT, et. al.

Defendants

CASE NO. 02CV26157

JUDGE HOWARD HALL

JUDGMENT ORDER AND ENTRY
AS TO DEFENDANT MICHAEL D.
BENEDICT

This matter came before the Court on Plaintiff's Motion for Default Judgment. The Court finds that Defendant Michael D. Benedict ("Defendant Benedict") failed to file an answer per Civ.R. 12(A), or otherwise defend this action, and, therefore, Plaintiff is entitled to judgment in its favor. Accordingly, Plaintiff's motion is **SUSTAINED**.

The Court hereby ORDERS, ADJUDGES AND DECREES the following:

1. Defendant Benedict shall comply with Ohio's solid waste laws as codified in R.C. Chapter 3734. and the rules promulgated thereunder;
2. Defendant Benedict shall cease open dumping scrap tires and/or other solid waste at the Benedict-Woosley Dump;
3. Defendant Benedict shall remove all scrap tires and other solid waste from the Benedict-Woosley Dump within one hundred eighty (180) days after the effective date of this Entry;

4. Within thirty days after the effective date of this Entry, Defendant Benedict shall establish proper fire lanes and store scrap tires at the Benedict-Woosley Dump in accordance with Ohio Adm. Code 3745-27-60, until such time as all scrap tires are removed;

5. Defendant Benedict shall control mosquitoes as required by Ohio Adm. Code 3745-27-60(B)(8); and

6. Defendant Benedict shall pay a civil penalty pursuant to R.C. 3734.13(C), to be determined by the Court at a hearing set for Tues. Oct. 14, 2003 at 2:00 pm

8-5-03
DATE

Howard C. Hall
JUDGE, MORROW COUNTY
COURT OF COMMON PLEAS

By regular mail
Copies to:

Attorneys for Plaintiff

Defendant Michael D. Benedict

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