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RICHLAND COUNTY
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IN THE COURT OF COMMON PLEAS
RICHLAND COUNTY, OHIO

STATE OF OHIO ex rel.
MARC DANN,

Plaintiff,

v.

CAUDILL/CROSSROADS, et al.

Defendants.

Case No. 07 CV 900

Judge James D. Henson

JUDGMENT ENTRY AND ORDER

Rendered this 23rd day of July 2008: The judgment entry dated June 10, 2008 on the same subject is withdrawn, being incomplete.

Upon review of the Plaintiff State of Ohio's Motion for Default Judgment, the open court, proffer and evidenced received of same at hearing on May 21, 2008, this Court finds the motion well taken and grants the judgment in favor of the Plaintiff. The Court, pursuant to R.C. §3737.882(C)(2), orders the Defendant to pay into the Treasury of the State of Ohio a civil penalty for violations of R.C. Chapter 3737 and the rules promulgated and adopted thereunder, grants judgment in favor of Plaintiff in the amount of \$113,890.00, plus interest of 8% per annum.

The Court adopts the Plaintiff's Prayer for Injunctive Relief in the Amended Complaint, and this Court hereby orders and enjoins the Defendant:

1. To remove or permanently abandon the UST system to comply with the requirements of Ohio Administrative Code 1301:7-9-12 for the UST system which has been out of service since on or about 1996;

2. To obtain a certificate of coverage for the UST system at the Site in accordance with the requirements of Ohio Admin. Code 1301:7-9-05(G)(1) and R.C.

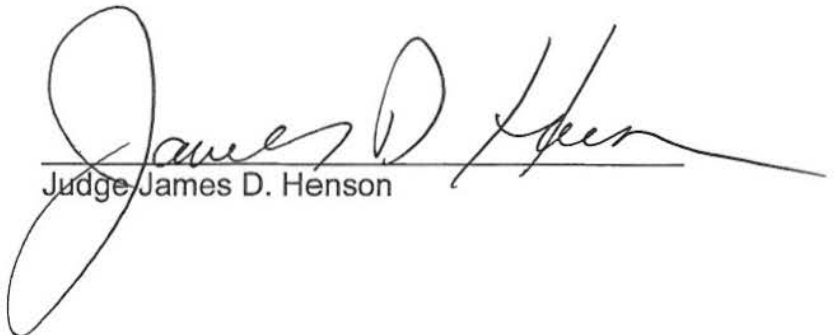
§3737.91(D) for the years of 1998 through 2006;

3. To take the required response action for the free product release discovered at the Site in accordance with Ohio Admin. Code 1301:7-9-13(G)(3) and (F);

In addition, this Court Orders:

4. Defendant is permanently enjoined from violating R.C. Chapter 3737 and the rules promulgated and adopted thereunder, and any Orders issued by the State Fire Marshall.
5. Defendant and her agents, representatives, employees, successors, or assigns, under the names that they presently use or any other names they use through any corporate or other device, and those acting in concert and participation with the Defendant directly or indirectly, are permanently enjoined from engaging in the acts or practices of which Plaintiff complains;
6. Defendant to pay all costs of this action, including Plaintiff's reasonable attorney fees and other extraordinary litigation costs;
7. This Court retains jurisdiction of this suit for the purpose of making any Order or Decree the Court may deem necessary at any time to enforce and administer Defendant's compliance with, and to carry out, this Court's judgment.

This is a final appealable order.



Judge James D. Henson

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Order was sent by regular U.S. Mail this 24 day of July, 2008 to the following:

Mary Caudill, aka Mary Caudil,

George Horvath

L. Inary
Deputy Clerk