

IN THE COURT OF COMMON PLEAS  
MAHONING COUNTY, OHIO

STATE OF OHIO, *ex rel.*  
MICHAEL DEWINE  
OHIO ATTORNEY GENERAL

Plaintiff,

v.

SERGIO DiPAOLO, *et al.*

Defendants.

: CASE NO. 10 CV 3497  
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: JUDGE JOHN M. DURKIN  
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: MAGISTRATE D. DELAURENTIS  
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CONSENT ORDER AND MAGISTRATE'S DECISION BETWEEN PLAINTIFF STATE  
OF OHIO AND DEFENDANT SERGIO DiPAOLO

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On December 3, 2014, this matter came on for a contempt hearing on Plaintiff State of Ohio's Motion to Show Cause, Written Charges in Contempt, and Request for Hearing filed against Defendant Sergio DiPaolo. Sergio DiPaolo was present and was represented by Attorney Michael Marando. Present on behalf of the State of Ohio were Assistant Attorneys General Cameron Simmons and Elizabeth Ewing.

Immediately prior to the hearing, the parties agreed to resolve the issues through an agreement, which was then read into the record. The terms of that agreement are set forth below. The parties hereby agree, it is the Magistrate's Decision, that:

1. Sergio DiPaolo is in Contempt of Court for his failure to pay the remaining \$25,000 civil penalty payment to the State of Ohio, due April 30, 2014, pursuant to the terms of the January 31, 2013 Consent Order between the parties.
2. As a sanction for his contempt, pursuant to R.C. 2705.05(A)(1), Sergio DiPaolo is fined

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\$250.00.

3. Sergio DiPaolo may purge himself of the contempt by submitting \$25,000, plus statutory interest at the rate set forth in R.C. 5703.47, from May 1, 2014 through the date of the payment, to the Ohio Attorney General's Office by March 3, 2015. Payment shall be made as directed in Paragraph 14 of the January 31, 2013 Consent Order.
4. If Sergio DiPaolo purges himself of the contempt, he will not be subject to the \$250.00 fine.
5. If Sergio DiPaolo does not purge himself of the contempt, the State may file a new Motion to Show Cause, Charges in Contempt, and Request for Hearing for the continued nonpayment of the civil penalty.
6. The State does not waive its right to bring additional charges in contempt on any other terms of the January 31, 2013 Consent Order against Sergio DiPaolo.


If a party files objections to this decision, such objections must be filed within fourteen days of the date of this decision. **Pursuant to Civ.R. 53(D)(3)(b)(iv), a party shall not assign as error on appeal the trial court's adoption of any finding of fact or conclusion of law unless the party has objected to that finding or conclusion under Civ.R. 53.**

If a party files objections to this decision pursuant to Civ.R. 53(D)(3)(b) and a transcript is needed to support the objections, a statement that such transcript has been ordered must accompany the objections.

The Clerk is directed to serve upon all parties notice of this decision and its date of entry upon the journal in accordance with Civ.R. 53(D)(3)(a)(iii), in the manner provided in Civ.R. 58(B).

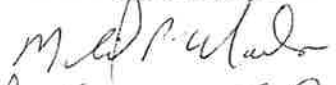
SO ORDERED.

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MAGISTRATE  
DOMINIC J. DELAURENTIS, JR.

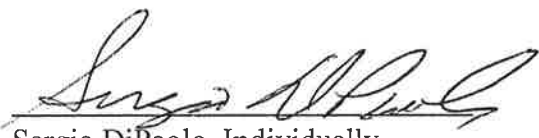
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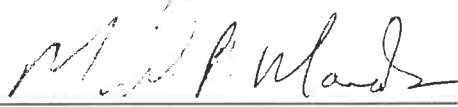
MICHAEL DeWINE  
OHIO ATTORNEY GENERAL

  
*for Cameron F. Simmons* <sup>E-mail</sup> <sub>consent</sub> 12-29-2014

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