

IN THE COURT OF COMMON PLEAS
KNOX COUNTY, OHIO

80/102 AG:19

STATE OF OHIO, ex rel. :
WILLIAM J. BROWN, :
ATTORNEY GENERAL OF OHIO :
30 East Broad Street :
Columbus, Ohio 43215, :

Plaintiff, :

v. :

Case No. 80-CI-204

LOMA LINDA FOODS, :
13246 Wooster Road :
Mount Vernon, Ohio, :

Defendant. :

SETTLEMENT DECREE

V

The Complaint having been filed herein
and the parties hereto by their respective attorneys having con-
sented to the entry of the Settlement Decree, now therefore, before
the taking of any testimony and upon the pleadings, it is ORDERED,
ADJUDGED and DECREED that:

I.

This Court has jurisdiction of the subject matter herein and
of the parties consenting hereto. The Complaint states a claim
upon which relief can be granted against the defendant.

II.

The provisions of this Settlement Decree shall apply and be
binding upon the parties to this action, their officers, directors,
stockholders, agents, servants, employees and successors; in addition,
the provisions of this Settlement Decree shall apply to all persons,
firms, corporations, and other entities having notice of this
Settlement Decree and who are, or will be, acting in concert and
privity with the defendant in this action or its officers, directors,
stockholders, agents, servants, employees and successors.

III.

Defendant agrees and is hereby enjoined, to install, in
strict accordance with plans submitted to the Ohio Environmental
Protection Agency on or about January 16, 1980, and with all

provisions of the Permit to Install granted to defendant by the Director of Environmental Protection on February 19, 1980, and aeration system for pretreatment ponds numbers one (1), two (2), and three (3) maintained by defendant. Defendant agrees to and is hereby enjoined to complete construction and installation no later than May 15, 1980, ^{AB} and to achieve full compliance with Rule 3745-15-07 of the Ohio Administrative Code and Section 3704.05(G) of the Ohio Revised Code no later than June 13, 1980. ^{STW} _{AB}.

IV.

This document shall not be construed as an acknowledgement of liability on the part of defendant, but is executed solely in settlement of the allegations raised by plaintiff in its Complaint.

V.

The costs of this action are hereby assessed against the defendant; such assessment is not to be construed as an acknowledgement of liability on the part of defendant.

March 11, 1980
Date

JUDGE, COURT OF COMMON PLEAS

APPROVED:

Louisa Linda Foods

WILLIAM J. BROWN
ATTORNEY GENERAL OF OHIO

BY: R. E. Krogetad
V.P. Finance

BY: Robert J. Styduhar
ROBERT J. STYDUHAR
Assistant Attorney General

H. B. Willey

PLANT MANAGER
OHIO PLANT OF
LOUISA LINDA FOODS

BY: Steven J. Willey
STEVEN J. WILLEY
Assistant Attorney General

ATTORNEYS FOR PLAINTIFF