

Judgment file

IN THE COURT OF COMMON PLEAS
PIKE COUNTY, OHIO

STATE OF OHIO, ex rel.	:	
ANTHONY J. CELEBREZZE, JR.	:	
ATTORNEY GENERAL OF OHIO,	:	
	:	
Plaintiff,	:	Case No. 58-CIV-82
	:	
v.	:	JUDGE WILLIAM AMMER
	:	
TOWPATH SEWER AND WATER	:	
CO., INC., et al.,	:	<u>CONSENT JUDGMENT</u>
	:	
Defendants.	:	

The Plaintiff having filed the Complaint in this action on February 23, 1982 to enforce the state water pollution statutes, and Plaintiff and Defendants by their respective attorneys having consented to this Consent Judgment;

THEREFORE, before the taking of any testimony, upon the pleadings and upon the consent of the parties hereto, it is hereby ordered, adjudged, and decreed as follows:

I.

The court has jurisdiction over the parties and the subject matter of this case. The Complaint states a claim upon which relief can be granted against Defendants under Sections 6111.04, 6111.07, and 6111.09 of the Ohio Revised Code.

II.

As described in Counts One through Twelve of the Complaint, Defendants have violated Revised Code Sections 6111.04 and 6111.07 by violating their water pollution permit and the Director's order of May 5, 1980. Compliance with paragraphs III, IV, and V of this Consent Judgment shall be in full satisfaction

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PIKE CO. CLERK

of Defendants' liability for the foregoing violations of law.

III.

Defendant Cole shall pay a civil penalty pursuant to Revised Code Section 6111.09 in the amount of eight thousand dollars (\$8,000.00). Three thousand dollars (\$3,000.00) of this amount shall be paid within ten (10) days after the entry of this Consent Judgment. The remaining five thousand dollars (\$5,000.00) of this amount shall be paid within one (1) year after this Consent Judgment. These penalties shall be paid by delivering to Plaintiff's counsel, for payment into the state treasury, a certified check in such amounts made to the order of "Treasurer, State of Ohio."

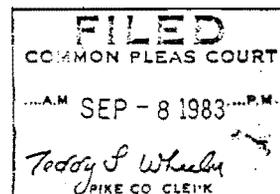
IV.

Defendant Shrader shall pay a civil penalty pursuant to Revised Code Section 6111.09 in the amount of two thousand dollars (\$2,000.00). This penalty shall be paid not later than ten (10) days after the entry of this Consent Judgment by delivering to Plaintiff's counsel, for payment into the state treasury, a certified check in such amount made to the order of "Treasurer, State of Ohio."

V.

Defendant Cole shall pay court costs.

William Ammer
HONORABLE WILLIAM AMMER
Judge, Court of Common Pleas
BY ASSIGNMENT



APPROVED:

ANTHONY J. CELEBREZZE, JR.
ATTORNEY GENERAL OF OHIO

BY: Jack Van Kley
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Attorney for Plaintiff

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JESSE COLE JR.
Defendant

