

IN THE COURT OF COMMON PLEAS
MONTGOMERY COUNTY, OHIO

STATE OF OHIO ex rel.	:	CASE NO. 2016 CV 00363
MICHAEL DEWINE	:	
OHIO ATTORNEY GENERAL	:	JUDGE O'CONNELL
	:	JUDGE WISEMAN
Environmental Enforcement Section	:	
30 East Broad St., 25th Floor	:	
Columbus, Ohio 43215	:	
	:	
PLAINTIFF,	:	
	:	
v.	:	
	:	
PINEVIEW PINES	:	
ESTATES, LLC	:	
C/O Rex A. Wolfgang, Statutory Agent	:	
246 High Street	:	
Hamilton, Ohio 45011,	:	
	:	
And	:	
	:	
TIMOTHY DEARWESTER	:	
5730 Farmersville-West Carrollton Road	:	
West Carrollton, Ohio 45449	:	
	:	
DEFENDANTS.	:	

TEMPORARY RESTRAINING ORDER

This cause came to be heard on Plaintiff's Complaint, Motion for Temporary Restraining Order, the Affidavit of Mariano Haensel and the Certification of Attorney Tasha N. Miracle, and pursuant to Ohio Revised Code 6109.32, and it appearing to the court that the defendants are committing acts and are about to commit acts as alleged in Plaintiff's Complaint, Motion, and Supporting Affidavit, and will continue to do so unless restrained by order of this court before notice can be given and they or their attorney can be heard in opposition, in that, it is hereby;

ORDERED, Defendants immediately provide the residents of Pineview Mobile Home Park (MHP) with bottled water and make four gallons of bottled water per resident available as long as the service disruption continues;

ORDERED, Defendants immediately maintain a minimum of four gallons of bottled water per resident at all times to serve as an alternate drinking water source for Pineview MHP residents in the event of future water service disruptions;

ORDERED, Defendants will make arrangements for regular home delivery of water to residents who are unable to pick up the bottled water during the current and any other service disruption;

ORDERED, Defendants will provide Ohio EPA viable contact information for any emergency, and provide a response to Ohio EPA within a reasonable time after being contacted;

ORDERED, Defendants hire a professional engineer, with prior public water system experience, to evaluate and correct structural deficiencies in the Pineview public water system, including wells, treatment, pumps, and distribution lines;

ORDERED, that no bond is required of this State; and it is further;

ORDERED, that this Order expire within fourteen days after entry unless within such time the order for good cause shown is extended, or unless the defendants consent that it may be extended for a longer period, and it is further;

ORDERED, that plaintiff's motion for a preliminary injunction be assigned for hearing on February 5, 2016, at 9:30 AM.; and it is further

ORDERED, that copies of this Order and of plaintiff's Motion and the Affidavit submitted with it, together with proper summons issuing be immediately served by the clerk upon the defendants.

Issued at Dayton, Ohio, Montgomery County on January 22, 2016,

IT IS SO ORDERED

DATE

JUDGE O'CONNELL

Entry and Order Proposed by:

MICHAEL DEWINE
OHIO ATTORNEY GENERAL

/s/ Tasha N. Miracle

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Attorneys for Plaintiff, the State of Ohio



General Division
Montgomery County Common Pleas Court
41 N. Perry Street, Dayton, Ohio 45422

Type: Final Judgment Entry

Case Number: 2016 CV 00363

Case Title: STATE OF OHIO EX REL MICHAEL DEWINE OHIO ATTY GEN
vs PINEVIEW PINES ESTATES LLC

So Ordered

Timothy N. O'Connell