



IN THE COURT OF COMMON PLEAS
ATHENS COUNTY, OHIO

STATE OF OHIO, ex rel
ANTHONY J. CELEBREZZE, JR.
ATTORNEY GENERAL OF OHIO
30 East Broad Street
Columbus, OH 43215

CASE NO. 87-1-44

Plaintiff,

JOURNAL ENTRY
AND
CONSENT ORDER

-vs-

EDWARD E. ATHA,
ATHA-RICHEY ENERGY GROUP and
BRISTOL PRODUCTIONS, INC.,
et al

Defendants.



The complaint herein having been filed on January 27, 1987,
under Chapter 1509 of the Ohio Revised Code; and the Court having
substituted the Administrator of the Estate of Edward Atha,
deceased for Edward Atha as defendant which such Administrator
is Alexander Couladis, and the parties herein having consented
without trial or adjudication of any issue of fact or law herein,
to the entry of this Consent Order;

THEREFORE, before the taking of any testimony, upon the
complaint and the consent of parties hereto, this Court hereby
ORDERS and DECREES as follows:

I

This Court has jurisdiction over the parties and the subject matter of this case pursuant to Chapter 1509 of the Ohio Revised Code. Venue is proper in this Court. Defendant Administrator by his attorney, consents to the entry of this decree and waives any objection with respect to the sufficiency of the complaint for this purpose of settling the claims as alleged in the complaint.

II

Defendant Administrator speaks for the Estate of Edward Atha and for the Atha-Richey Energy Group, Inc. an Ohio Corporation the stock of which was wholly owned by Edward Atha, deceased.

III

The provisions of this Consent Decree shall apply to and be binding upon the signatories hereto, their agents, officers, employees, assignees, heirs and successors in interest.

IV

Plaintiff has alleged that Defendant Atha, while living, and Atha-Richey Energy Group, Inc, violated various provisions of Chapter 1509 and rules promulgated at the Sams No. 1 well, Jackson No. 1 well, Dillinger Nos. 2 and 3 wells, Simpson No. 3 well, Hayes No. B-3 well, Hayes No. B-1 and C-2 wells, Hutchins No. 1 well, Jean Hubbard No. 1 well, Parsons Nos 1 and 2 wells, Kubach No. 1 well and the Coen No. 1 well, Grimm No. 1 well and the Jarvis Bible School No. 1 well.

Plaintiff has requested the Court to enjoin Defendant Administrator and Atha-Richey Energy Group, Inc. from further violations of Chapter 1509 and rules promulgated thereunder.

Without admitting any alleged violations, said Defendant Administrator agrees to such an injunction.

V

Without admitting any alleged violations, Defendant Administrator confesses judgment in favor of plaintiff, State of Ohio, for a civil penalty of twenty thousand dollars (\$20,000.00) which said judgment is against the Estate of Edward Atha and Atha-Richey Energy Group, Inc. Judgment for such civil penalty shall be in full satisfaction of any claimed liability of Defendant Atha and Atha-Richey Energy Group, Inc. for all violations of Chapter 1509 asserted in the Complaint.

VI

By executing this Consent Order, Plaintiff State of Ohio does not discharge, release, or in any way affect any right, demand, claim, or cause of action which Plaintiff has, or may have, and the State of Ohio herein expressly reserves for further enforcement all rights, demands, claims, and causes of action which it has, or may have, against Defendant Administrator and Atha-Richey Energy Group, Inc. in this action.

VII

The Court hereby ORDERS that prior to the transfer or sale of the wells discussed in paragraph IV above, Defendants shall require as a condition of sale of the wells, compliance with the requirements of O.R.C. Section 1509.31. This Court retains jurisdiction of this action for the purpose of, making any order or decree it may deem necessary to carry out this Consent Decree.

VIII

Defendant Administrator shall pay all costs of this action to date.

IX

Defendants state that they have read and fully understand this Journal Entry and Consent Order and agree to comply fully with it.

X

This Journal Entry and Consent Order shall constitute a final order between the Plaintiff and Defendants and this Court expressly determines that there is no just reason for delay of judgment as between Plaintiff and Defendants.

XI

The Clerk is instructed to record this Journal Entry and Consent Order and cause a Certificate of Judgment in the above captioned case to be journalized in the office of the Clerk of the Court of Common Pleas, Athens County, Ohio and Washington County, Ohio.



L. Alan Goldsberry
JUDGE COURT OF COMMON PLEAS
Athens County, Ohio

APPROVED:



Scott E. Farkas
Assistant Attorney General
Environmental Enforcement Section
Division of Oil and Gas
Building A, Fountain Square
Columbus, Ohio 43224



Robert W. Stewart, Esq.
Ball and Stewart
11 East Washington Street
Athens, Ohio 45701
Attorney for Alexander Couladis
Administrator of the Estate of
Edward Atha, Deceased



Edward S. Robe, Esq.
Robe and Keifer
14 West Washington Street
Athens, Ohio 45701
Attorney for Bank One Athens, N.A.