

**IN THE COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO**

STATE OF OHIO, ex rel.	:	CASE NO. A9202033
LEE FISHER	:	
ATTORNEY GENERAL OF OHIO	:	JUDGE CARTOLANO
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
AYER ELECTRIC, INC., et al.	:	
	:	
Defendants.	:	

**JUDGMENT ENTRY AS TO DEFENDANTS  
DONALD AYER AND AYER ELECTRIC, INC.**

This matter came on for hearing, October 25 and 26, 1994, for the purposes of making a determination upon the assessment of a civil penalty pursuant to R.C. §3734.13 and upon charges in contempt filed by Plaintiff, State of Ohio, pursuant to R.C. §§2705.05 and 2727.12, against Defendants Donald Ayer and Ayer Electric, Inc.. On July 6, 1993, this Court entered an Amended Entry Granting Motion For Partial Summary Judgment Against Ayer Defendants which found Defendants Donald Ayer and Ayer Electric, Inc. in violation of certain hazardous waste laws and required Defendants Donald Ayer and Ayer Electric, Inc. to take certain actions to come into compliance with R.C. Chapter 3734 and rules promulgated thereunder. At the October 25 and 26, 1994 hearing, Plaintiffs and

Defendants each presented evidence as to the nature of the violations, and timeliness of efforts to remediate the violations, and of efforts to comply with the July 6, 1993 Amended Entry Granting Motion For Partial Summary Judgment.

Based upon the evidence presented, and the arguments of counsel, the Court finds that a civil penalty should be assessed against Defendants Donald Ayer and Ayer Electric, Inc., and that Defendants did not timely comply with this Court's July 6, 1993 Amended Entry Granting Motion For Partial Summary Judgment.

THEREFORE, IT IS ORDERED AND ADJUDGED that pursuant to R.C.§3734.13 Defendants Donald Ayer and Ayer Electric, Inc. are jointly and severally assessed a civil penalty of \$4,000, which civil penalty shall be paid into the state treasury to the credit of the R.C.§3734.28 hazardous waste clean-up fund, by check mailed to Counsel for Plaintiff. Defendants Donald Ayer and Ayer Electric, Inc. shall also pay the costs of this action to date.

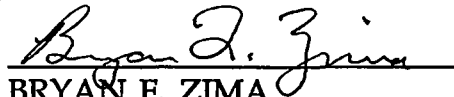
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JUDGE FRED J. CARTOLANO  
Hamilton County Court of Common  
Pleas

INSTRUCTIONS TO THE CLERK

Pursuant to Rule 58 of the Ohio Rules of Civil Procedure, upon signing of this Entry by the Court, the clerk is directed to enter it upon the journal. Within three days of entering the judgment upon the journal, the clerk is directed to serve upon all parties notice of the judgment and its date of entry upon the journal in the manner prescribed by Rule 5(B) of the Ohio Rules of Civil Procedure and note the service in the appearance docket.

Approved as to form:



BRYAN F. ZIMA

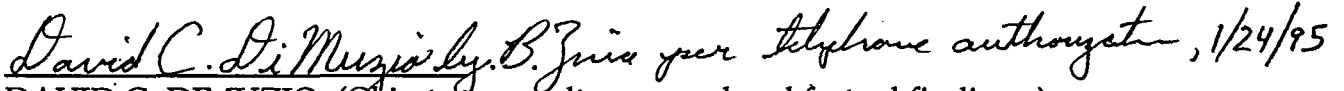
(0001053/Z144)

JACQUELINE MALLET

Assistant Attorneys General  
Environmental Enforcement

Section, 25th Floor  
30 E. Broad Street  
Columbus, Ohio 43266-0410  
(614)466-2766

Attorney for Plaintiff  
State of Ohio



DAVID C. DIMUZIO (Objects to penalty assessed and factual findings.)

(0034428/D165)

Kohnen & Patton

Attorneys at Law

1400 Carew Tower

441 Vine Street

Cincinnati, Ohio 45202-2994

(513) 381-5823

Attorney for Defendants Donald Ayer  
and Ayer Electric, Inc.