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Environmental Enforcement Section

IN THE COURT OF COMMON PLEAS  
CRAWFORD COUNTY, OHIO

FILED

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STATE OF OHIO,

Plaintiff,

vs.

BAJA BOATS, INC., et al.,

Defendants.

CASE NO. 88-CV-0611

PATRICIA J. BALDWELL  
CLERK

Judge Kimerline

CONSENT JUDGMENT

Plaintiff, having filed the Complaint in this action on March 21, 1988, the parties having agreed to settle the disputes between them, and Plaintiff and Defendants by their respective attorneys having consented to this Consent Judgment;

THEREFORE, before taking of any testimony, and without any admission of any allegation of law or fact, or any liability whatsoever, which allegations defendants specifically deny, it is hereby ordered, adjudged and decreed as follows:

I. JURISDICTION

1. The Court has jurisdiction over the parties and the subject matter of this case for purposes of entering this Consent Judgment. The Complaint states a claim upon which relief may be granted. Venue is proper in this Court.

II. PARTIES BOUND

2. The provisions of this Consent Judgment shall apply to and be binding upon the parties to this action, their officers, directors, agents, servants, employees and successors.

III. INJUNCTIVE RELIEF

3. Defendant shall comply with the provisions of Revised Code Chapter 3734 and the regulations promulgated thereunder.

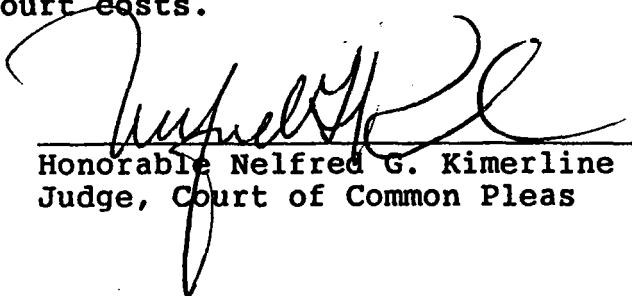
IV. CIVIL PENALTY

4. Within 14 working days of the entry of this Consent Judgment, Baja Boats, Inc. shall pay Fifty Thousand Dollars (\$50,000.00) by certified check to the Treasurer, State of Ohio, to be deposited into the Hazardous Waste Cleanup Fund.

5. The payment under Paragraph 2 shall be in full satisfaction of and does hereby release, acquit and discharge defendants' liability for all matters alleged or arising from the allegations in the Complaint, provided, however, the State of Ohio reserves such claims as it may have against Baja Boats, Inc. under the Comprehensive Environmental Response Compensation and Liability Act, 42 USCA §9601, et seq., as amended, for or with respect to possible remediation of or to the Crawford County Landfill, and any claims arising after the filing of this Consent Decree. Baja Boats, Inc. reserves such rights, claims and defenses as it may have with respect to such claims.

V. COSTS

6. Defendants shall pay court costs.

  
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Honorable Nelfred G. Kimerline  
Judge, Court of Common Pleas

APPROVED:

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