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COMMON PLEAS COURT  
97 MAR 20 AM 9:34  
KATHLEEN L. WALCHER  
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS  
HURON COUNTY, OHIO

STATE OF OHIO, ex rel.  
BETTY D. MONTGOMERY,  
ATTORNEY GENERAL OF OHIO  
30 East Broad Street  
Columbus, Ohio 43215-3428

CASE NO. CVH-97-270

JUDGE \_\_\_\_\_

CONSENT ORDER

Plaintiff,

v.

BRUNSWICK CORPORATION,  
1 North Field Court  
Lake Forest, Illinois 60045-4811

Defendant.

JOURNALIZED 0320-97  
VOL 293 PG 253

The State of Ohio, by its Attorney General, Betty D. Montgomery, filed a Complaint seeking injunctive relief and a civil penalty for Defendant's alleged violations of Ohio Revised Code Chapter 3704 and the rules adopted thereunder. The parties, with regard to these issues, have reached an agreement as to the payment of a civil penalty. Therefore, without trial of any issues of law or fact, without admission by Defendant of any issue of law, fact, liability, or responsibility, and upon consent of the parties, it is hereby ORDERED, ADJUDGED, and DECREED as follows:

I. JURISDICTION AND VENUE

1. The Court has jurisdiction over the subject matter herein pursuant to Chapter 3704 of the Revised Code of Ohio. The Court has jurisdiction of the parties hereto. The Complaint states claims upon which relief can be granted. Venue is proper in this Court.

II. PERSONS BOUND

2. The provisions of this Order shall apply to and be binding upon the parties to this action, their agents, officers, directors, employees, assigns, and successors in interest.

### III. SATISFACTION OF LAWSUIT

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3. Compliance with the terms of this Order shall constitute full satisfaction of any civil liability of Defendant Brunswick Corporation for the violations of ORC Chapter 3704 and the regulations thereunder alleged in the Complaint. Nothing in this Order shall be construed as an admission of law, fact, liability, or responsibility by Defendant.

4. This Order does not limit the authority of the State of Ohio to seek relief for any claim not expressly alleged in the Complaint.

### IV. CIVIL PENALTIES

5. Defendant Brunswick Corporation shall pay the State of Ohio a civil penalty of One Hundred Twelve Thousand, Five Hundred Dollars (\$112,500.00). The penalty shall be paid by delivering a certified check for said amount made payable to the order of "Treasurer, State of Ohio" to Matthew A. Sanders, Administrative Assistant, or a person subsequently designated by the State, at the office of the State of Ohio Attorney General, Environmental Enforcement Section, 30 East Broad Street, 25th Floor, Columbus, Ohio 43215-3428, within thirty (30) days after entry of this Consent Order.

### V. RETENTION OF JURISDICTION

6. This Court will retain jurisdiction of the action for the purpose of enforcing this Consent Order.

### VI. COSTS

7. Defendant Brunswick Corporation is ordered and enjoined to pay any court costs and fees of this action.

IT IS SO ORDERED:

ENTERED THIS 19th DAY OF March, 1997.

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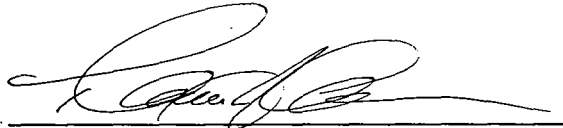
ORIGINAL SIGNED BY  
EARL R. MCGIMPSEY, JUDGE

JUDGE, HURON COUNTY  
COURT OF COMMON PLEAS

APPROVED:

STATE OF OHIO,  
ex rel. BETTY D. MONTGOMERY  
ATTORNEY GENERAL OF OHIO

BY:



CHARLES R. McELWEE, ESQ. (0009885)  
THOMAS J. GREVER, ESQ. (0059786)  
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Counsel for Defendant Brunswick Corporation

BRUNSWICK CORPORATION

BY:



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APRIL R. BOTT (0066463)  
Assistant Attorneys General  
Environmental Enforcement Section  
30 East Broad Street  
Columbus, Ohio 43215-3428  
(614) 466-2766

BY:



(Authorized Representative of Brunswick Corporation)

Michael D. Schmitz

AK  
JEC

TITLE: Assistant Secretary