

IN THE COURT OF COMMON PLEAS

PERRY COUNTY, OHIO

STATE OF OHIO, ex rel.
ANTHONY J. CELEBREZZE, JR.
ATTORNEY GENERAL OF OHIO,

Plaintiff,

v.

THE DUBLIN CORPORATION
and
PAUL R. DOWNEY,

Defendants.

CASE NO. 20844

JUDGE GEORGE W. FLAUTT

PERRY COUNTY
CLERK OF COURTS

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JUDGMENT ENTRY AND FINAL ORDER

Plaintiff State of Ohio, by and through Attorney General Anthony J. Celebrezze, Jr. filed a motion for a default judgment against Defendants The Dublin Corporation and Paul R. Downey, pursuant to Civ.R. 55(A). The Court finds that Plaintiff State of Ohio's motion has merit in that Defendants The Dublin Corporation and Paul R. Downey were each served with a copy of the summons and complaint by certified mail on March 31, 1989 and have both failed to plead or otherwise defend within twenty-eight (28) days of service as required by Civ.R. 12(A).

It is therefore ADJUDGED, ORDERED, and DECREED that the following relief be granted:

I.

Pursuant to R.C. 1509.04, Defendants The Dublin Corporation and Paul R. Downey are permanently enjoined to properly plug and abandon the oil and gas well identified as the No. 1 well on the Coughenbaugh lease, Madison Township, Perry County, Ohio, Permit No. 3128 ("Coughenbaugh No. 1 well").

II.

Pursuant to R.C. 1509.12 and 1509.33(A), Defendants The Dublin Corporation and Paul R. Downey shall pay a civil penalty of Four Thousand Dollars (\$4,000.00) per day for each day after March 1, 1989 that the Coughenbaugh No. 1 well remains unplugged.


All payments of civil penalties are to be made by certified or cashier's check made payable to "Treasurer, State of Ohio" and forwarded to counsel for Plaintiff State of Ohio.

III.

All costs of this action are assessed against the defendants.

IV.

The Clerk is ordered to record this Judgment Entry and Final Order in the Journal of the Court, and to send a time-stamped copy of same to each counsel of record.



JUDGE GEORGE W. FLAUTT
Court of Common Pleas
Perry County, Ohio