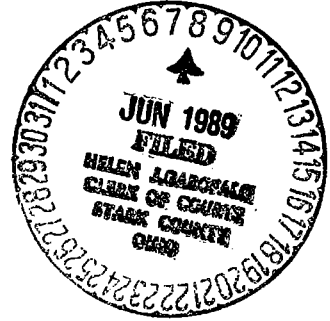


IN THE COURT OF COMMON PLEAS
STARK COUNTY, OHIO



STATE OF OHIO, ex rel.)
ANTHONY J. CELEBREZZE, JR.)
ATTORNEY GENERAL OF OHIO,)
)
Plaintiff,)
)
v.)
)
PAUL A. WEBER,)
)
Defendant.)

CASE NO. 89-147
HON. JUDGE JAMES S. GWIN

FINAL JOURNAL ENTRY
AND
CONSENT JUDGMENT

The Complaint having been filed on January 26, 1989 pursuant to R.C. Chapter 1509 and defendant Paul Weber having duly filed his Answer, plaintiff State of Ohio and defendant Paul Weber have collectively agreed, without trial or adjudication of any issue of fact or law, to the entry of this Consent Judgment.

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

I

This Court has jurisdiction of the parties and of the subject matter of this cause pursuant to R.C. Chapter 1509. Venue is proper in this Court. Defendant Paul Weber consents to the entry of this Journal Entry and Consent Judgment and waives any objection he may have with respect to the sufficiency of the complaint for the purpose of settling the claims alleged in the complaint.

II

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

III

In its complaint, plaintiff State of Ohio has alleged that defendants violated certain sections of R.C. Chapter 1509 and provisions of the Ohio Adm. Code at the Weber #1 wellsite, Stark County, Permit No. 3325. Plaintiff State of Ohio has also requested the Court to permanently enjoin defendant Paul Weber from further violations of certain provisions of R.C. Chapter 1509. Without admitting any alleged violations, defendant Weber shall be permanently enjoined from violating R.C. 1509.22, 1509.221, 1509.226 and 1509.03.

IV

Without admitting any alleged violations, defendant shall pay to plaintiff State of Ohio a civil penalty of Eight Thousand Nine Hundred Dollars and 00/100 (\$8,900.00) in the manner provided by any one of the following:

A. By delivering to plaintiff State of Ohio's counsel, for payment into the State Treasury, a certified check in such amount to the order of "Treasurer, State of Ohio" within fifteen (15) days after the entry of this Final Journal Entry and Consent Judgment;

B. By delivering to plaintiff State of Ohio's counsel, under the terms set forth in Part V of this Final Journal Entry and Consent Judgment, the following computer equipment and software:

(Hardware):

1. IBM Personal System/2, Model 70-386,
16 Mhz, 60 MB Drive, Model #8570E61;
2. IBM 12" VGA Color Monitor, Model #8513;
3. An IBM Personal System/2 version of either
 - a. a Longitech Mouse; or
 - b. a Microsoft Mouse
4. A Hewlet-Packard Desk Jet Printer,
Model #HP2276A;

(Software):

5. IBM version of WordPerfect 5.0;
6. Harvard Graphics version 2.1;
7. Windows 386 from Microsoft; and
8. Microsoft DOS 4.0; or,

C. By delivering to plaintiff State of Ohio's counsel, under the terms set forth in Part V of this Final Journal Entry and Consent Judgment, the following computer equipment and software:

(Hardware):

1. Northgate 386/16 System, Model #PM386-16-4;
2. Northgate VGA Color+ Monitor, Model #VGA 14C;

3. A serial version of either
 - a. a Logitech Mouse; or
 - b. a Microsoft Mouse
4. A Hewlet-Packard Desk Jet Printer,
Model #HP2276A;

(Software):

5. IBM version of WordPerfect 5.0;
6. Harvard Graphics version 2.1; and
7. Windows 386 from Microsoft.

V

If defendant elects to pay its civil penalty by means of Option B or Option C of Part IV of this Final Journal Entry and Consent Judgment, items thereunder shall be purchased and delivered in accordance with the following conditions:

- A. All items shall be purchased from manufacturer authorized dealers for the benefit of the Division of Oil and Gas, Ohio Department of Natural Resources;
- B. All items shall be purchased new;
- C. All warranties shall run to the Division of Oil and Gas, Ohio Department of Natural Resources;
- D. All purchase receipts shall designate the Division of Oil and Gas, Ohio Department of Natural Resources as the owner of all items purchased;

E. Defendant shall deliver originals of all purchase receipts to the Division of Oil and Gas within fourteen (14) days of defendant's receipt thereof;

F. All items shall be paid for in full by defendant prior to delivery;

G. All items shall be delivered to the attention of plaintiff's counsel, for the benefit of the Division of Oil and Gas, at Fountain Square, Building A, Columbus, Ohio 43224;

H. All items shall be delivered directly from the authorized vendors to plaintiff unopened and in their original cartons or packaging;

I. Defendant shall place all orders within fourteen (14) days of the filing of this Final Journal Entry and Consent Judgment;

J. Defendant shall notify plaintiff in writing within ten (10) days after any order is made from an authorized dealer;

K. Plaintiff shall notify defendant in writing within ten (10) days of receipt of the last item that defendant has fulfilled his obligations under Part IV of this Final Journal Entry and Consent Judgment; and,

L. Upon plaintiff's receipt of the items, defendant bears no further responsibility or liability to plaintiff with respect to said items.

VI

This Court retains jurisdiction of this action for the purpose of making any order or decree it may deem necessary to carry out this Final Journal Entry and Consent Judgment.

VII

Defendant Paul Weber shall pay all the court costs of this action.

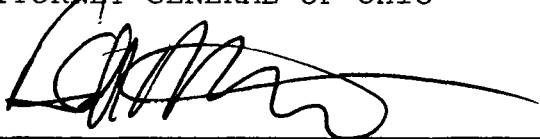
VIII

Defendant states that he has read and fully understands this Final Journal Entry and Consent Judgment and agrees to comply with it fully.

HON. JAMES S. GWIN
Judge, Stark County Court of
Common Pleas

APPROVED:

ANTHONY J. CELEBREZZE, JR.
ATTORNEY GENERAL OF OHIO



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Assistant Attorney General
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