

IN THE COURT OF COMMON PLEAS
TUSCARAWAS COUNTY, OHIO

FILED
COURT OF COMMON PLEAS
TUSCARAWAS COUNTY, OHIO

2012 JUL 6 AM 9 46

JEANNE M. STEPHEN
CLERK OF COURTS

STATE OF OHIO, ex rel. Richard Cordray,
Ohio Attorney General,

Plaintiff,

Case No. 2007 CV 070535

v.

THE BELDEN BRICK COMPANY, LLC,

Judge Edward Emmett O'Farrell

and

ROBERT F. BELDEN,


Defendants.

**ORDER AND FIRST MODIFICATION OF CONSENT ORDER AND
FINAL JUDGMENT ENTRY**

Upon reviewing the Joint Motion To Modify Consent Order filed by the Parties, and for good cause shown, the Parties' Joint Motion is hereby GRANTED, and paragraph 19 of the original Consent Order and Final Judgment Entry, issued on July 6, 2009, is hereby modified as follows:

19. In lieu of payment of one hundred thousand dollars (\$100,000.00) of the total civil penalty, Defendants agree to and are hereby ordered to implement supplemental environmental projects according to the following terms and conditions. Defendant is enjoined to expend no less than \$100,000 on supplemental projects by July 6, 2013. All supplemental environmental projects shall be approved by the Ohio EPA prior to their implementation and prior to Defendants receiving credit for their value.

IT IS SO ORDERED.



Judge O'Farrell

7/5/2012

Copies to: Court Administrator
Asst. Atty. General Gregg Bachmann
Attys. Frank L. Merrill and James J. Hughes

RECEIVED

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ATTORNEY GENERAL OFFICE
ENVIRONMENTAL ENFORCEMENT