

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO
CIVIL DIVISION

10/15/97
filed

11/6/96
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STATE OF OHIO, ex. rel.
BETTY D. MONTGOMERY, et al.,

CASE NO. 94CVH07-5297

Plaintiffs,

JUDGE O'NEILL

vs.

CLAYCRAFT COMPANY, et al.,

Defendants.

AGREED ENTRY; FINDING OF CONTEMPT

On August 10, 1995, by Consent Order, the defendants agreed, in paragraph twelve (12), that defendants are prohibited from "receiving any salary, bonus, profit, dividend or revenue of any kind from the operation of Bedford I." Bedford I ceased operating as a solid waste disposal facility on September 15, 1995. On October 30, 1996, the Plaintiffs filed a Motion for Contempt Citation alleging that the defendants violated paragraph twelve (12) of the Consent Order. On November 6, 1996, the parties filed a First Amended Consent Order "to resolve the allegations of contempt". Pursuant to the First Amended Consent Order, corporate defendants the Claycraft Company, Bedford Ecol Company, a.k.a. Bedford-Ecol Company and Bedford-Ecol, Inc. agreed to make four separate payments of three thousand dollars (\$3,000.00), totalling twelve thousand dollars (\$12,000.00), payable on: September 25, 1996; October 25, 1996; November 25, 1996; and December 25, 1996, to the Closure Trust Fund..

The Plaintiffs have filed a Second Motion for Contempt Citation on June 30, 1997.

Whereas, the defendants now stipulate that they were in Contempt as a result of the default in the payment plan. The parties stipulate that the defendants made a nine thousand dollar (\$9,000.00) payment to the Closure Trust Fund on June 11, 1997 and a payment of three thousand three hundred fifty-seven dollars and eighty-one cents (\$3,357.81) on August 19, 1997. The parties stipulate that the three hundred fifty-seven dollars and eighty-one cents (\$357.81) is the amount of interest the Closure Trust Fund would have earned had the payments been made in accordance with the First Amended Consent Order.

NOW THEREFORE, upon the stipulations of the parties hereto, the Court finds that the defendants are in contempt of the First Amended Consent Order. Whereas, the Court finds that the defendants have purged themselves of any ongoing contempt. Further, all provisions of the Consent Order dated August 10, 1995 shall remain in full force upon this agreement, as well as the additional order requiring the ^{corporate} defendants to make twenty-four payments of one thousand six hundred and nineteen dollars and fifty cents (\$1,619.50) to Bedford-Ecol for the benefit and in order to pay its creditors and shall be tendered to and deposited into the IOLTA Trust Account of Ricketts and Onda Co., L.P.A., for the purpose of making payments to outstanding creditors of Bedford-Ecol, Inc.

IT IS SO ORDERED:

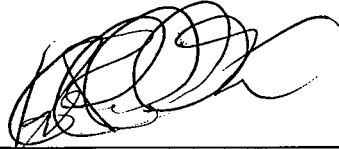
MAGISTRATE ENSMINGER
COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

JUDGE O'NEILL
COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO


APPROVED:

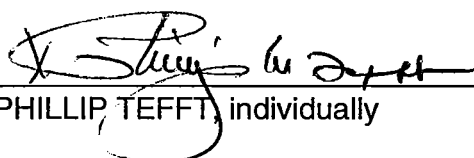
BETTY D. MONTGOMERY
ATTORNEY GENERAL OF OHIO

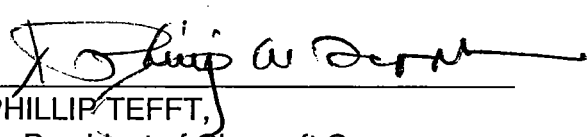
RON O'BRIEN
FRANKLIN COUNTY
PROSECUTING ATTORNEY

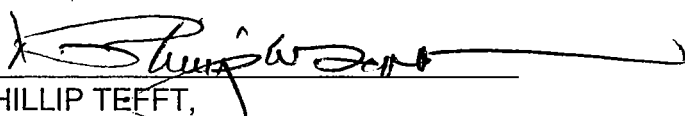
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BY 
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Attorney for the Defendant
30 South Second Street
Columbus, Ohio 43215
(614) 229-4100

BY 
PHILLIP TEFFT, individually

BY 
PHILLIP TEFFT,
as President of Claycraft Company
and Bedford Ecol Company, aka
Bedford-Ecol Company and Bedford-
Ecol, Inc.

BY 
PHILLIP TEFFT,
as President of Ceramitec, Inc.