

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO
CASE NO. 80-CV-925

RECORDED
PAGE 1
JAN 31 10 05 AM '83
CLERK OF COURT
TRUMBULL COUNTY

STATE OF OHIO, EX. REL.,)
Plaintiff)
vs.)
DAVID A. WALDRON & ASSOC.,)
INC., et al.,)
Defendant)

JUDGMENT ENTRY

This matter was before the Court by way of a jury trial on the general issues as to whether the defendant David A. Waldron & Assoc., Inc., and/or David A. Waldron individually caused pollution of Ohio waters at certain locations in the State of Ohio as a result of the disposal of salt water and/or other waste materials at these sites. On the 19th day of August the Jury returned its answers to certain written interrogatories and its general verdict with respect to the issues before it. It found that the defendant David A. Waldron was not individually nor personally responsible for any acts of pollution at these sites.

The Jury in its general verdict found in favor of the plaintiff and that the defendant company did cause pollution of the waters of Ohio at the sites known as Parkman Sand and Gravel, Alsids Bond No. 699, and Ron Hall's junkyard. Further, in its general verdict the Jury found for the defendant company with respect to all other sites at issue in this case.

The matter then came on for hearing before the Court on October 7, 1982, with respect to the penalty portion of these proceedings as a result of the Jury's general verdict and answers to written interrogatories of August 19, 1982. The hearing was concluded on that occasion and the matter was taken under advisement by the Court.

Case No. 80-CV-925
Judgment Entry

The Court finds as a result of the evidence adduced, the verdict, and answers to the written interrogatories by the Jury, and the arguments of counsel in connection with the authority contained in Ohio Revised Code Sections 6111.04, 6111.07, and 6111.09 that an appropriate basis has been established for the imposition of a civil penalty against the defendant David A. Waldron & Assoc., Inc.

The Court assesses a civil penalty for the pollution caused by the defendant to the Parkman Sand and Gravel site of twelve thousand six hundred dollars (\$12,600.00).

The Court assesses a civil penalty for the pollution caused by the defendant at Ron Hall's junkyard of seven thousand two hundred dollars (\$7,200.00).

The Court assesses a civil penalty for the pollution caused by the defendant to the Alsid Bond No. 699 site of five hundred dollars (\$500.00).

The Court pursuant to the foregoing imposes a total civil penalty against the Defendant David A. Waldron & Assoc., Inc. of twenty thousand four hundred dollars (\$20,400.00) for the pollution caused by it at the above-specified three sites together with costs herein incurred.

1/31/83

DATE

Donald R. Ford

JUDGE DONALD R. FORD
COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

PAGE TWO OF TWO PAGES

FILED
RECORDED
PAGE
JAN 31 10 06 AM '83
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