

IN THE COURT OF COMMON PLEAS
MAHONING COUNTY, OHIO

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CLERK OF COURTS
MAHONING COUNTY, OHIO
MAR - 5 2010
FILED
ANTHONY VINO, CLERK

STATE OF OHIO, *ex rel.* : CASE NO. 08 CV 1824
RICHARD CORDRAY : COURTROOM NO. 4
ATTORNEY GENERAL OF OHIO, :
 : JUDGE JOHN M. DURKIN
 :
Plaintiff, :
 : MAGISTRATE
VS. : DOMINIC J. DELAURENIS, JR.
 :
CRAB CREEK INDUSTRIAL : MAGISTRATE'S ORDER
VILLAGE, INC. :
 :
and :
 :
SOURCE ONE CONTRACTORS, INC. :
 :
Defendants. :

Default Judgment was granted against Defendant, Source One Contractors, Inc. by this Court on February 4, 2009. This matter came on for hearing on February 25, 2010 for assessment of damages against Defendant Source One Contractors, Inc. Specifically, Plaintiff seeks statutory civil penalties and attorney's fees against Source One. Present in Court was the Plaintiff represented by Assistant Attorneys General Thaddeus H. Driscoll and Sarah T. Bloom. Defendant Source One Contractors, Inc. failed to appear.

William Robert Slaninia testified for the Plaintiff. Slaninia testified that he was an inspector with the Mahoning Trumbull Air Pollution Agency between September 22, 2003 and December 19, 2009. During that time he inspected the property that is the subject of Plaintiff's Complaint against Defendant Source One Contractors, Inc. He testified that he found asbestos on the property and advised Defendant Source One of its

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violation of Ohio's rules and regulations concerning asbestos removal. Slaninia testified that Defendant failed to do anything concerning the violation.

After considering the testimony of Plaintiff, and reviewing the affidavit submitted to the Court and admitted into evidence as Plaintiff's Exhibit 1, it is the decision of the Magistrate that Defendant Source One Contractors, Inc.:

1. Pay a civil penalty to the State of Ohio in an amount of \$23,345.00 (667 days from the time the complaint was filed until February 25, 2010 times \$35.00 per day for the penalty), pursuant to R.C. 3704.06(C). Payment shall be made within thirty days to Ohio EPA, Office of Fiscal Administration, 50 West Town Street, Suite 700, Columbus, Ohio, 43215.

2. Pay attorneys' fees in the amount of \$3,626.25. Payment shall be made within 30 days to the Ohio Attorney General, c/o Karen Pierson, Paralegal, Environmental Enforcement Section, 30 E. Broad St., 25th floor, Columbus, Ohio, 43215.

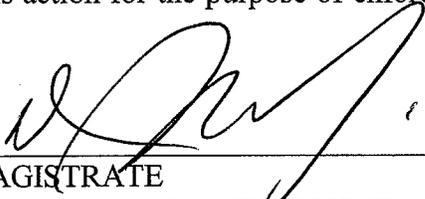
3. Any payment made after 30 days shall be subject to the statutory rate of interest under R.C. 5703.47, as authorized by R.C. 131.02.

4. Pay the costs of this action.

5. All payments shall be accompanied by a copy of this entry and/or a notation with the name "Source One" and "Mahoning CCP no. Case no. 08CV1824."

The Court shall retain jurisdiction of this action for the purpose of enforcing and administering this Order.

DATE 3/4/10


MAGISTRATE
DOMINIC J. DELAURENTIS, JR.

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NOTICE TO ATTORNEYS AND PARTIES

The parties shall have fourteen (14) days from the filing of this Decision to file written objections with the Clerk of this Court. Any such objections must be served upon all parties to this action and a copy must be provided to the Court. A party shall not assign as error on appeal of the Court's adoption of any finding of fact or conclusion of law in this Decision unless the party timely and specifically objects to that finding or conclusion as required by Civil Rule 53(E)(3).

This is an appealable order and the Clerk of Courts shall serve copies of this Decision upon all parties within three (3) business days, pursuant to Civ. R. 5.