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COMMON PLEAS COURT
2007 JAN -4 P. 1:06
REBECCA C. BIALK

IN THE COURT OF COMMON PLEAS OF WOOD COUNTY, OHIO

State of Ohio, ex rel. Jim Petro, Attorney General of Ohio, Plaintiff,	*	
	*	Case No. 03 CV 805
	*	
v.	*	JUDGE REEVE KELSEY
	*	
Maurer Mobile Home Court, Inc., Defendant.	*	Order
	*	

This case is before the court on defendant's motion to stay judgment pending appeal filed December 15, 2006 to which the plaintiff has filed a memorandum in response.

This court, on July 6, 2006, entered a judgment entry. Pursuant to that entry defendant, Maurer Mobile Home Court, Inc., ("MMHC") was required to do certain things and to make certain payments. On July 18, 2006, MMHC filed a notice of appeal. MMHC did not request a stay of the court's judgment entry until December 15, 2006.

Civ.R. 62(B) provides that when an appeal is taken the appellant may obtain a stay of execution of a judgment by giving an adequate supersedeas bond.

This court will not stay any requirements of the court's July 6, 2006 judgment entry that were required to be performed on or before July 31, 2006 due to MMCH's laches in requesting the stay.

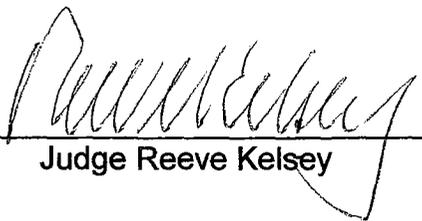
This court will grant a stay on the requirement to submit a plan to construct sludge wasting / storage facilities, to construct an ultraviolet disinfectant system, and to reasonably eliminate rainwater inflow and infiltration. As this plan was

not to be submitted until December 31, 2006, the stay was timely filed. This stay is subject to the posting of a supersedeas bond of three times the estimated cost of the improvements. (\$5,000 x 3 = \$15,000.)

This court will not stay any requirements of the court's July 6, 2006 judgment entry that were required to be performed on or before September 30, 2006 due to MMHC's laches in requesting the stay.

IT IS ORDERED that this court's order requiring defendant, Maurer Mobile Home Court, Inc., to submit a plan to construct sludge wasting / storage facilities, to construct an ultraviolet disinfectant system, and to reasonably eliminate rainwater inflow and infiltration is stayed pending appeal subject to the defendant posting a supersedeas bond in the amount of \$15,000.

IT IS ORDERED that, except as provided above, defendant's, Maurer Mobile Home Court, Inc.'s, motion to stay judgment pending appeal is DENIED.



Judge Reeve Kelsey

CERTIFICATE

This is to certify that a copy of the foregoing Order was mailed or delivered this date to;

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30 E BROAD ST	CLEVELAND OH 44114 1304
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1-4-07

DATE

