

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

FILED
COMMON PLEAS COURT
FRANKLIN CO., OHIO
2008 NOV 24 PM 3:38

CLERK OF COURTS

STATE OF OHIO *ex rel.*
NANCY H. ROGERS,
ATTORNEY GENERAL OF OHIO, et al :

CASE NO. 07 CVH-07-9067

JUDGE CAIN

Plaintiffs,

v.

CENCI ENTERPRISES, INC.

Defendants.

FINAL APPEALABLE ORDER

TERMINATION NO. _____
BY _____

**JUDGMENT ENTRY APPROVING MAGISTRATE'S DECISION AND
GRANTING JUDGMENT AGAINST DEFENDANTS**

This matter is before the Court on the Magistrate's Decision on Damages Hearing entered herein on October 29, 2008 (the "Decision"). Upon review and consideration thereof, the Court finds that the Decision should be approved and made an order of this court.

THEREFORE, IT IS ORDERED THAT judgment be and hereby is granted in favor of Plaintiff, State of Ohio ex rel. Nancy H. Rogers, Attorney General of Ohio in the sum of Three Hundred Eight Thousand Dollars (\$308,000) against Defendants, Cenci Enterprises, Inc. and Nicholas A. Cenci for violations of R.C. Chapter 3737 and the rules promulgated thereunder. Pursuant to R.C. §3737.882(C)(2), Defendants are ordered to pay the \$308,000 civil penalty into the Treasury of the State of Ohio a civil; and,

IT IS FURTHER ORDERED THAT judgment be and hereby is granted in favor of Plaintiff, Petroleum Underground Storage Tank Release Compensation Board in the sum of Twenty-Seven Thousand, Two Hundred Dollars (\$27,200) for UST annual tank fees and late fees pursuant to R.C. 3737.91 and Ohio Admin. Code 3737-1-04 against Defendant, Cenci Enterprises, Inc. Pursuant to R.C. 3737.91, Defendants are order to pay Twenty-Seven Thousand, Two Hundred Dollars (\$27,200) to the State of Ohio, UST Fund and remit such payment to Plaintiff Petroleum Underground Storage Tank Release Compensation Board.

Costs to Defendants.

This is a final, appealable order.

Judge David E. Cain

**NANCY H. ROGERS
ATTORNEY GENERAL**



Michelle T. Sutter (0013880)
Timothy J. Kern (0034629)
Assistant Attorneys General
Environmental Enforcement Section
Public Protection Division
30 East Broad Street, 25th Floor
Columbus, Ohio 43215-3428
Telephone: (614) 466-2766
Fax: (866) 483-1104
Attorneys for the State of Ohio, ex rel
Nancy H. Rogers, Attorney General of
Ohio

Cheryl R. Hawkinson

Cheryl R. Hawkinson (0055429) *lsupmt@tnt.com*
Assistant Attorney General *Per written*
Executive Agencies *authority*
30 East Broad Street, 26th Floor *11/21/08*
Columbus, Ohio 43215
Telephone: (614) 466-2980
Fax: (614) 728-9470
Attorney for the Petroleum Underground
Storage Tank Release Compensation Board