

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

State of Ohio, ex rel.,

Plaintiff,

v.

John Kiss, dba Empire Construction,

Defendant.

Case No. CV-02-483275

Judge

JUDGMENT ENTRY

This action came on for hearing before the Court for consideration of the Plaintiff's Motion for Default Judgment. After careful consideration the Court finds that Defendant has failed to plead, or otherwise appear in this action and Plaintiff's Motion for Default Judgment is found well taken and same is hereby Granted.

At the hearing, counsel for Plaintiff State of Ohio presented, through an affidavit, uncontested evidence as to an appropriate civil penalty under R.C. 3704.06 for the air pollution and asbestos emission control violation committed by Defendant as alleged in Plaintiff's Complaint.

THEREFORE, it is Ordered and Adjudged that the Plaintiff shall recover from the Defendant John Kiss (dba Empire Construction) of 3129 Berkshire, Cleveland Heights, Ohio 44113, a civil penalty in the amount seven thousand and 00/100 dollars (\$7,000.00) (paid via certified check made payable to "Treasurer, State of Ohio" and delivered to Jena Suhadolnik or her successor, Administrative Assistant, Office of the Attorney General of Ohio, Environmental Enforcement Section, 30 East Broad Street, 25th Floor,

Columbus, Ohio 43215-3428 within thirty (30) days of the entry of this judgment), plus any and all court costs of this action.

Defendant is further Ordered and Enjoined to immediately comply with R.C Chapter 3704 and Ohio Adm.Code Chapter 3745-20 before conducting any further demolition or renovation activities in the State of Ohio.

Pursuant to Civ.R. 58(A), the clerk is directed to enter this FINAL JUDGMENT upon the journal. Within three days of entering the judgment upon the journal, the clerk is directed to serve upon all parties appearing in this action notice of the judgment and its date of entry upon the journal in the manner prescribed by Civ.R. 5(B) and to note the **service in the appearance docket.**

IT IS SO ORDERED.

Dated.

2/13/03

James Sweeney
Judge

RECEIVED FOR FILING

FEB 13 2003

Gerald E. Fuerst
Gerald E. Fuerst, Clerk

THE STATE OF OHIO Cuyahoga County	Sd. Gerald E. Fuerst, Clerk of the Court of Common Pleas within and for said County.
HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS TRULY TAKEN AND COPIED FROM THE ORIGINAL	
NOW ON FILE IN MY OFFICE.	
WITNESS MY HAND AND SEAL OF SAID COURT THIS	
DAY OF <i>Feb</i>	A.D. 20 <i>03</i>
GERALD E. FUERST, Clerk	
By <i>[Signature]</i>	Deputy