

**IN THE COURT OF COMMON PLEAS
BUTLER COUNTY, OHIO**

**STATE OF OHIO ex rel.
RICHARD CORDRAY
OHIO ATTORNEY GENERAL,**

Plaintiff,

:

JGR PROPERTIES, et al.

Defendants.

CASE NO. CV 2005 01 0211

JUDGE KEITH M. SPAETH

FILED in Common Pleas Court
BUTLER COUNTY, OHIO

DEC 17 2009

CINDY CARPENTER
CLERK OF COURTS

STIPULATIONS

Plaintiff State of Ohio and Defendant Anthony Sansalone have engaged in settlement discussions in the instant case and agree to enter into the following Stipulations:

1. On March 5, 2007 the Court entered a Consent Order (“Consent Order”) against Defendant JGR Properties, Inc. (“JGR”) in Butler County Common Pleas Case Number CV 2005 01 0211.
2. The Consent Order requires JGR and others, as referenced below, to comply with Ohio’s water pollution control laws, R.C. Chapter 6111 and the rules adopted thereunder, and the respective NPDES Permits, at each of three mobile home parks, Island Lake Mobile Home Park (“Island Lake MHP”), Sunshine Mobile Home Park (“Sunshine MHP”) and Brookside Mobile Home Park (“Brookside MHP”).
3. The Consent Order states that it applies to and is binding upon JGR, its agents, officers, employees, assigns, successors in interest, buyers or lessees of any of

JGR's wastewater treatment plants at the Island Lake MHP, Sunshine MHP and Brookside MHP, and any person acting in concert or privity with them.

4. On March 23, 2009, Defendant Anthony Sansalone filed affidavits of interest asserting that he owned 100 percent of the membership interest in GS Holdings-Brookside, Ltd. and GS Holdings-Sunshine, Ltd.

5. From March 23, 2009 to May 1, 2009, GS Holdings- Brookside, Ltd. was the land contract holder for Brookside MHP, and GS Holdings - Sunshine, Ltd. was the owner of Sunshine MHP.

6. On May 1, 2009, Defendant Anthony Sansalone assigned his entire membership interest in GS Holdings-Brookside, Ltd. and GS Holdings-Sunshine, Ltd. back to JGR Properties, Inc.

7. Alleged violations of the Consent Order, R.C. Chapter 6111 and the rules adopted thereunder, and the respective NPDES Permits, resulted in the Plaintiff filing *State of Ohio's Written Charges in Contempt, Motion for Show Cause and Request for Hearing ("Charges")* against various Defendants, including Defendant Anthony Sansalone on July 1, 2009.

8. Plaintiff asserts that from the period of March 23, 2009 to May 1, 2009 the violations as alleged in Counts 2, 8, 9, 10, 11, 18, 19, 20, 20, 21, 22 and 24 of the *Charges* occurred at Brookside MHP and Sunshine MHP, and constitute violations of the Consent Order.

9. Defendant Anthony Sansalone is without sufficient knowledge to admit or deny that the violations set forth in paragraph 8 above exist, but agrees that the Court will find in accordance with Plaintiff's assertions

10. The Stipulations do not constitute an admission by Defendant Anthony Sansalone of a violation of law.

11. In order to settle Plaintiff's claims against Defendant Anthony Sansalone concerning the Charges, the Consent Order, and R.C. Chapter 6111 and the rules adopted thereunder, and the respective NPDES Permits, Defendant Anthony Sansalone agrees to pay Ten Thousand Dollars in accordance with the following schedule:

(A.) One Thousand Dollars (\$1,000.00) is due within thirty (30) days of this entry and Agreed Order.

(B.) The remaining Nine Thousand Dollars (\$9,000.00) shall be paid within one (1) year of the entry of this Agreed Order.

The payment shall be paid by delivering certified checks for the appropriate amounts made payable to "Treasurer, State of Ohio," to Karen Pierson, or her successor, at the Ohio Attorney General's Office, Environmental Enforcement Section, 30 East Broad Street, 25th Floor, Columbus, Ohio 43215.

12. Plaintiff State of Ohio and Defendant Anthony Sansalone hereby agree that the Court will adopt these Stipulations and the Agreed Order.

RICHARD CORDRAY

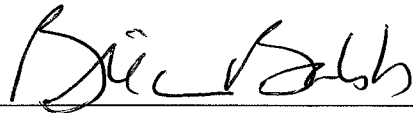
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ANTHONY SANSALONE

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AGREED ORDER

Plaintiff State of Ohio ("State") filed *Written Charges in Contempt, Motion to Show Cause and Request for Hearing ("Charges")* on July 1, 2009 against various defendants, including Defendant Anthony Sansalone ("Sansalone"). The State and Sansalone have engaged in settlement discussions in this matter, and have presented the Court with *Stipulations* and this *Agreed Order* to resolve the State's claims against Defendant Anthony Sansalone as alleged in the *Charges*. The Court, having reviewed the *Stipulations* and this *Agreed Order*, hereby adopts the *Stipulations*, and by agreement of the State and Sansalone hereby **FINDS** as follows:

1. From March 23, 2009 to May 1, 2009 GS Holdings, Brookside, Ltd. was the land contract holder for Brookside MHP, and GS Holdings-Sunshine was the owner of Sunshine MHP. During that period of time, Defendant Anthony Sansalone was an owner of GS Holdings-Brookside, Ltd. and GS Holdings-Sunshine, Ltd.

2. In the period of March 23, 2009 to May 1, 2009 the violations of the Consent Order as alleged in Charges 2, 8, 9, 10, 11, 18, 19, 20, 21, 22, 24 of the State's *Charges* occurred at Brookside MHP and Sunshine MHP.

3. In order to settle the State's Charges against Sansalone, by agreement of the Plaintiff State of Ohio and Defendant Anthony Sansalone, Defendant Sansalone is hereby **ORDERED** to pay Ten Thousand Dollars in accordance with the following schedule:

(A.) One Thousand Dollars (\$1000.00) shall be paid within thirty (30) days of the entry of this Agreed Order.

(B.) The remaining Nine Thousand Dollars (\$9000.00) shall be paid within one (1) year of the entry of this Agreed Order.

4. The payments shall be paid by delivering certified checks for the appropriate amounts made payable to "Treasurer, State of Ohio," to Karen Pierson, or her successor, at the Ohio Attorney General's Office, Environmental Enforcement Section, 30 East Broad Street, 25th Floor, Columbus, Ohio 43215.

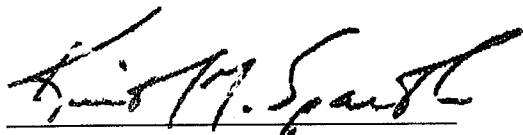
5. Defendant Anthony Sansalone's compliance with this Agreed Order is not an admission of liability and shall constitute full satisfaction of any liability of Defendant Anthony Sansalone, individually, or through his ownership of any membership interest in GS Holdings-Brookside, Ltd., GS Holdings-Sunshine, Ltd., and GS Holdings-Island Lake, Ltd. for all claims, including claims for penalties and injunctive relief, or for any violations alleged in the *Charges*, and for any violations of R.C. Chapter 6111, and the rules adopted thereunder, the respective NPDES Permits, and the Consent Order concerning the Brookside MHP, Sunshine MHP and Island Lake MHP prior to the date

of this Agreed Order, including from March 23, 2009 to May 1, 2009. Compliance with this Agreed Order constitutes satisfaction of the liability of Defendants GS Holdings-Sunshine, Ltd. and GS Holdings-Brookside, Ltd. for stipulated and civil penalties associated with the violations which occurred from March 23, 2009 to May 1, 2009 as set forth in the *Charges*.

6. Nothing in this Agreed Order shall affect the State's claims against JGR or James Geyer for violations of the Consent Order, as alleged in the *Charges*, including, but not limited to, those violations that existed between March 23, 2009 to May 1, 2009. Furthermore, nothing in this Agreed Order shall affect the State's claims against GS Holdings-Brookside, Ltd., GS Holdings-Sunshine, Ltd., or GS Holdings-Island Lake, Ltd. from March 5, 2007 to March 23, 2009 and from May 2, 2009, forward. Nothing in this Agreed Order shall be binding on or used against any other defendants in this litigation.

7. Upon the signing of this Agreed Order by the Court, the clerk is hereby directed to enter it upon the journal. Within three (3) days of entering the judgment upon the journal, the clerk is hereby directed to serve upon all parties notice of the judgment and its date of entry upon the journal in the manner prescribed by Rule 5(B) of the Ohio Rules of Civil Procedure and note the service in the appearance docket.

IT IS SO ORDERED:



**JUDGE KEITH M. SPAETH
COURT OF COMMON PLEAS
BUTLER COUNTY, OHIO**

12-11-09
Date