

STATE OF MICHIGAN  
IN THE 30<sup>TH</sup> JUDICIAL CIRCUIT  
COUNTY OF INGHAM

MICHIGAN DEPARTMENT OF  
ENVIRONMENTAL QUALITY, and  
STEVEN E. CHESTER, Director of the  
Michigan Department of Environmental  
Quality,

Plaintiffs,

v

VREBA-HOFF DAIRY, LLC,

Defendant.

File No. 03-1662-CE

Hon. James R. Giddings

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**ORDER**

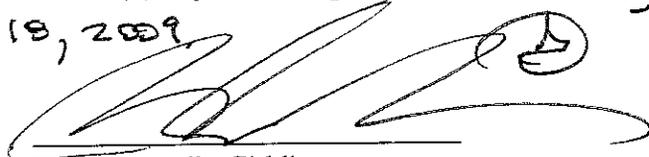
At a session of said Court held in the courtroom, City of Lansing, Michigan,  
on the 9th day of March, 2009.

Present:       Honorable James R. Giddings  
                  Circuit Court Judge

This matter having come before this Court on March 9, 2009, upon Plaintiffs' Motion to Affirm the Dispute Resolution Facilitator's Report and Recommendation of November 6, 2008, and enter Judgment in favor of Plaintiffs pursuant to MCR 2.116(C)(8), and the Court having the benefit of written briefs and oral argument by counsel;

IT IS HEREBY ORDERED, adjudged and decreed that pursuant to MCR 2.116(C)(8), judgment in favor of Plaintiffs shall be and the same is hereby granted for Defendant's failure to state a claim upon which relief can be granted in its Objection to the said Report and Recommendation for the reasons stated on the record on March 9, 2009.

IT IS FURTHER ORDERED, adjudged and decreed that this Court accepts the Dispute Resolution Facilitator's Report and Recommendation, and, therefore, directs that Defendant pay Plaintiffs \$223,500.00 ~~within seven (7) days~~ as fines presently due and owing, *not later than Monday May 18, 2009*



Hon. James R. Giddings  
Circuit Court Judge

Dated: Apr 16, 2009  
s:closed cases/2003/vreba-hoffIII/order 3-9-09