

STATE OF MICHIGAN
IN THE 30TH JUDICIAL CIRCUIT COURT
INGHAM COUNTY

MICHIGAN DEPARTMENT
OF ENVIRONMENTAL QUALITY,

Plaintiff,

File No. 11-1157-CE

v

Honorable James S. Jamo

ENGINEERING TUBE
SPECIALTIES, INC., and
MYRON INVESTMENTS, LLC,
a limited liability company,

Defendants.

JUDGMENT

At a session of said Court held on the 23rd
day of July, 2014 in the City of Lansing,
County of Ingham, State of Michigan

PRESENT: HONORABLE JAMES S. JAMO

The Court having considered the evidence presented at trial in the above matter, the evidence presented at the evidentiary hearing on the reasonableness of attorney fees, and the written and oral arguments of the parties, and pursuant to the Court's Opinion and Order Granting in Part and Denying in Part the Parties'

Motions for Summary Disposition entered April 25, 2013, and the Court's Opinion and Order entered April 9, 2014,

IT IS HEREBY ORDERED that Judgment is entered in favor of Plaintiff Michigan Department of Environmental Quality (MDEQ) and against Defendant Engineering Tube Specialties, Inc. (ETS) as follows:

1. Judgment is entered pursuant to MCL 324.20137(1)(b) that ETS is liable to the MDEQ under MCL 324.20126a(1)(a) and MCL 324.20126(1)(a) for past response activity costs in the amount of \$857,247.78, which includes attorney fees and statutory interest under MCL 324.20126a(3);
2. Declaratory judgment is entered pursuant to MCL 324.20137(1)(d) that ETS is liable to the MDEQ under MCL 324.20126a(1)(a) and MCL 324.20126(1)(a) for all future costs of response activity costs and damages relating to the facility;
3. Judgment is entered pursuant to MCL 324.20137(1)(a) for permanent injunctive relief for ETS to perform all response activity necessary to protect the public health, safety, welfare, or the environment, and achieve and maintain compliance with Part 201 of the Natural Resources and Environmental Protection Act (NREPA), MCL 324.20101 *et seq.*, and the administrative rules promulgated thereunder, with respect to all releases of hazardous substances at and emanating from ETS's facility that is the subject of this action; and
4. Judgment is entered pursuant to MCL 324.20137(1)(e) against ETS for a civil fine in the amount of \$109,500.00.

IT IS SO ORDERED.

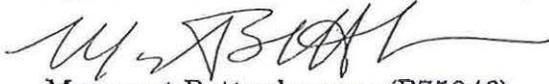
This order disposes of the last pending claim and closes the case.

JUDGE JAMES S. JAMO

Date: 7-30-14

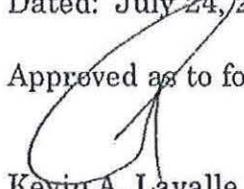
Honorable James S. Jamo (P-36650)
Circuit Court Judge

Approved as to form ^{only} and ~~content~~ by:



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