

STATE OF MICHIGAN  
CIRCUIT COURT FOR THE 37<sup>TH</sup> JUDICIAL CIRCUIT  
CALHOUN COUNTY

MICHIGAN DEPARTMENT OF  
ENVIRONMENTAL QUALITY,

Plaintiff,

File No. 13-1936-CE

v

HON. CONRAD J. SINDT

BABA INTERNATIONAL INC. a Michigan  
corporation, and GARHAS, LLC a Michigan  
limited liability company,

Defendants.

---

Andrew T. Prins (P70157)  
Attorney for Plaintiff  
6<sup>th</sup> Floor, G. Mennen Williams Building  
525 West Ottawa Street  
P.O. Box 30755  
Lansing, Michigan 48909  
(517) 373-7540

---

**DEFAULT JUDGMENT**

At a session of said Court, held in the  
City of Battle Creek, County of Calhoun,  
State of Michigan, on the 11<sup>th</sup> day  
of August, 2014.

**PRESENT: Hon. Conrad J. Sindt, Circuit Court Judge**

Plaintiff Michigan Department of Environmental Quality's (DEQ) Motion for  
Entry of Default Judgment Against Defendants Baba International Inc. and  
Garhas, LLC (collectively, Defendants), having come before the Court and the Court  
having been fully advised in the premises, is hereby granted, and:

IT IS HEREBY ORDERED that a default judgment is entered in DEQ's favor and against the Defendants, jointly and severally, as follows:

1. For \$1,352,735.42, in past costs of corrective action lawfully incurred by DEQ for selection and implementation of corrective action under Part 213, Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, MCL 324.21301a *et seq.*, at and near the real property known as Logan's Gas & Deli, 3300 West Michigan Avenue, Battle Creek, Calhoun County, Michigan (Logan's Gas & Deli), pursuant to MCL 324.21323(1)(b) and MCL 324.21323b(1)(a);
2. Declaratory judgment is entered pursuant to MCL 324.21323(1)(d) that Defendants are liable pursuant to MCL 324.21323b(1)(a) for all future costs of corrective action lawfully incurred by the State for selection and implementation of corrective action under Part 213 of the NREPA at and near Logan's Gas & Deli as a result of the release that occurred on or about June 18, 2007; and
3. For \$43,161.25 in attorney fees pursuant to MCL 324.21323b(3) as DEQ is the prevailing or substantially prevailing party;

IT IS HEREBY FURTHER ORDERED that DEQ's claim against the Defendants for civil fines pursuant to MCL 324.21323(1)(e) is dismissed without prejudice.

This Default Judgment resolves the last pending claim and closes the case.

  
\_\_\_\_\_  
Hon. Conrad J. Sindt  
Circuit Court Judge

Approved as to form:

  
\_\_\_\_\_  
Andrew T. Prins (P70157)  
Assistant Attorney General  
Attorney for Plaintiff

LF:Baba International Logan's Gas & Deli/2013-0044308-A/Judgment - Default Judgment - 2014 - 08-11