

STATE OF MICHIGAN
CIRCUIT COURT FOR THE 3rd JUDICIAL CIRCUIT
WAYNE COUNTY

MICHIGAN DEPARTMENT OF
ENVIRONMENTAL QUALITY,

Plaintiff,

Michigan Department of Environmen
Hon. Michael F Sapala 02/18/2009



09-003870-CE

v

JABER ENTERPRISES, INC.
a Michigan corporation, and
HAMAD JABER,

Defendants.

Andrew T. Prins (P70157)
Assistant Attorney General
Attorney for Plaintiff
Environment, Natural Resources,
and Agriculture Division
6th Floor, Williams Building
525 West Ottawa Street
PO Box 30755
Lansing, MI 48909
(517) 373-7540

Ronald R. Dixon (P24649)
Attorney for Defendants
42815 Garfield, Suite 210
Clinton Township, MI 48038-1143
(586) 412-2360

ORDER

At a session of said Court held in the Wayne Circuit
Court, State of Michigan, on the ____ day of FEB 05, 2010
2010.

PRESENT: HONORABLE MICHAEL F. SAPALA
Circuit Court Judge

Plaintiff's Motion for Default, or in the Alternative an Order Compelling Discovery and
Awarding Costs and Attorney Fees, pursuant to MCR 2.119 and MCR 2.313, having come
before the Court, and the Court having been fully advised in the premises,

IT IS HEREBY ORDERED THAT:

Plaintiff's Motion for Default, or in the Alternative an Order Compelling Discovery and Awarding Costs and Attorney Fees, is hereby granted and:

- (1) Defendants shall supplement their answers to interrogatories numbered 4, 5, 6, 9, 12, 13, 14, 16, 17, 20, 21, 23, 25, 34, 35, 39, 40, 41, 44, 45, 46, 47, 48, 49, 50, 51, 52, 54, 55, 56, 57, 58, 59, 60, 61, 64, 65, 66, and 67 of the Plaintiff's First Set of Interrogatories and Request for Production of Documents to Defendants Jaber Enterprises, Inc. and Hamad Jaber and the Defendants shall serve the supplemental answers upon the MDEQ within 14 days of the entry of this Order; and
- (2) Defendants shall supplement their responses to requests for production numbered 22, 24, 28, 29, 30, 31, 32 and 68 of the Plaintiff's First Set of Interrogatories and Request for Production of Documents to Defendants Jaber Enterprises, Inc. and Hamad Jaber and the Defendants shall serve the supplemental responses upon the MDEQ within 14 days of the entry of this Order and the Defendants shall identify the requested documents and shall either mail the requested documents to MDEQ's counsel at his office in Lansing within 14 days of the entry of this Order or make them available for his inspection and copying at a mutually agreed upon time and place, within 14 days of the entry of this Order; and
- (3) Defendants shall produce all documents that support Defendants' claims that Hamad Jaber and Jaber Enterprises, Inc. were not responsible for the operation of underground storage tanks located at 20541 Plymouth Rd., Detroit, Michigan, including all leases that pertain to this property, and all documents that support Defendants' claims that there was no release of petroleum at the property located at 20541 Plymouth Rd., Detroit, Michigan, and all documents pertaining to Hamad Jaber's ownership of the property located at 20541 Plymouth Rd., Detroit, Michigan, within 14 days of the entry of this Order; and
- (4) Defendants shall pay MDEQ's costs and attorney fees for this Motion. *in the amount of \$700.00 within 30 days*

IT IS SO ORDERED.

MICHAEL F. SAPALA

Michael F. Sapala
Circuit Court Judge

LF:Jaber/2007008232A/Order default (compel)

A TRUE COPY
CATHY M. GARRETT
WAYNE COUNTY CLERK
BY C. Patterson
DEPUTY CLERK