

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR INGRAM COUNTY

MICHAEL A. COX, Attorney
General of the State of Michigan,
Public Officer-Successor
In the interest ex rel MICHIGAN
DEPARTMENT OF ENVIRONMENTAL
QUALITY,

Case No. 89-64557-CE

Plaintiffs,

Hon. Beverley Nettles-Nickerson

v.

REXAIR, INC., a Delaware Corporation,

Defendant.

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and Agriculture Division
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Attorneys for Defendant

**ORDER GRANTING DEFENDANT'S
MOTION FOR PARTIAL SUMMARY DISPOSITION**

At a session of said Court, held in
the Circuit Courtrooms, County of
Ingham, State of Michigan, this
21 day of April, 2005

PRESENT: HONORABLE BEVERLEY NETTLES-NICKERSON,
Ingham County Circuit Court

Defendant, Rexair, Inc., having filed a motion for partial summary disposition and all parties having filed briefs and provided oral arguments thereon, for the reasons stated in the record, it is hereby

ORDERED that the motion be and the same hereby is GRANTED, and it is

FURTHER ORDERED that the plaintiffs' claim for stipulated penalties is hereby DISMISSED with prejudice.

BEVERLEY NETTLES-NICKERSON

Beverley Nettles-Nickerson
Circuit Judge

Dated: April 21, 2005