

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



P.O. Box 30755
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

August 6, 2014

Allen Hope & Associates
Attn: Scott Hope/Celisa Ross
4020 Somers Drive
Burton, MI 48529

Re: *Michigan Department of Environmental Quality v HD Industries, Inc.*
Ingham Circuit Court File No. 13-286-CE - Honorable James S. Jamo

Dear Mr. Hope:

Enclosed is an original Order Holding HD Industries, Inc. and Henryk Kijanka in Contempt for Violation of this Court's Judgment of May 6, 2014 for personal service on the following individual:

1. Henryk Kijanka, 22612 Wildwood Street, Saint Clair Shores, MI 48081; or
2. Henryk Kijanka, c/o HD Industries, Inc., 19455 Glendale Street, Detroit, MI 48223.

Time is of the very essence, so your prompt attention would be greatly appreciated. Please forward the invoice for your services directly to my attention at the above address along with the Proof of Service showing personal service.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian J. Negele".

Brian J. Negele
Assistant Attorney General
Environment, Natural Resources,
and Agriculture Division
(517) 373-7540

BJN/jls
Enclosures

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August 6, 2014

Via Hand Delivery

Clerk of the Court
Ingham County Circuit Court
Veterans Memorial Courthouse
313 West Kalamazoo Street
Lansing, MI 48901-7971

Re: *Michigan Department of Environmental Quality v HD Industries, Inc.*
Ingham Circuit Court File No. 13-286-CE - Honorable James S. Jamo

Dear Clerk:

Enclosed is an original Proof of Service for filing in the above-referenced matter.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Brian J. Negele".

Brian J. Negele
Assistant Attorney General
Environment, Natural Resources,
and Agriculture Division
P.O. Box 30755
Lansing, MI 48909
(517) 373-7540

BJN/jls
Enclosures
cc: Charles H. Marr
Jason Wolf, MDEQ

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

MICHIGAN DEPARTMENT OF
ENVIRONMENTAL QUALITY,

Plaintiff,

No. 13-286-CE

v

HON. JAMES S. JAMO

HD INDUSTRIES, INC.,

Defendant.

Brian J. Negele (P41846)
Attorney for Plaintiff
Michigan Department of Attorney General
Environment, Natural Resources, and
Agriculture Division
P.O. Box 30755
Lansing, MI 48909
(517) 373-7540

Charles H. Marr (P36289)
Attorney for Defendant
Law Offices of Charles H. Marr,
P.L.L.C.
302 West Main Street
Northville, MI 48167
(248) 596-1599

**ORDER HOLDING HD INDUSTRIES, INC. AND
HENRYK KIJANKA IN CONTEMPT FOR VIOLATION OF
THIS COURT'S JUDGMENT OF MAY 6, 2014**

At a session of said Court held in the City of Lansing,
County of Ingham, State of Michigan on August 5, 2014.

PRESENT: Honorable James S. Jamo
Circuit Court Judge

In a hearing held on August 5, 2014, the Court having been fully advised in the premises, and for the reasons stated on the record:

IT IS HEREBY ORDERED AND ADJUDGED that HD Industries, Inc. is hereby held in contempt of this Court for violating this Court's May 6, 2014 Judgment; and

IT IS HEREBY ORDERED AND ADJUDGED that Henryk Kijanka is hereby personally held in contempt of this Court for failing to act as the responsible corporate official to cause HD Industries, Inc. to comply with this Court's May 6, 2014 Judgment; and

IT IS HEREBY ORDERED AND ADJUDGED that HD Industries, Inc. shall immediately cease operation of its natural gas-fired rotary dross furnace and shall not resume operation of such furnace until authorized to do so by order of this Court, or Henryk Kijanka be imprisoned until such operation is ceased; and

IT IS HEREBY ORDERED AND ADJUDGED that HD Industries, Inc. shall pay to Plaintiff a civil fine in the amount of \$240,500.00; and

IT IS HEREBY ORDERED AND ADJUDGED that HD Industries, Inc. shall pay a fine of \$7,500.00 as punishment for contempt.

JUDGE JAMES S. JAMO

HON. JAMES S. JAMO
Circuit Court Judge

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

MICHIGAN DEPARTMENT OF
ENVIRONMENTAL QUALITY,

Plaintiff,

No. 13-286-CE

v

HON. JAMES S. JAMO

HD INDUSTRIES, INC.,

Defendant.

Brian J. Negele (P41846)
Attorney for Plaintiff
Michigan Department of Attorney General
Environment, Natural Resources, and
Agriculture Division
P.O. Box 30755
Lansing, MI 48909
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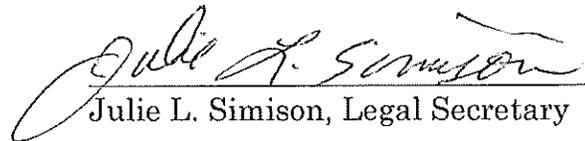
Charles H. Marr (P36289)
Attorney for Defendant
Law Offices of Charles H. Marr, P.L.L.C.
302 West Main Street
Northville, MI 48167
(248) 596-1599

PROOF OF SERVICE

On August 6, 2014, I sent by First Class Mail, a copy of the *Order Holding HD Industries, Inc. and Henryk Kijanka in Contempt for Violation of this Court's Judgment of May 6, 2014 signed by Judge Jamo on August 5, 2014 and Proof of Service* to:

Charles H. Marr (P36289)
Attorney for Defendant
Law Offices of Charles H. Marr,
P.L.L.C.
302 West Main Street
Northville, MI 48167

I declare that the statements above are true to the best of my information,
knowledge, and belief.


Julie L. Simison, Legal Secretary

LG: HD Industries AG #2012-0018166-B-L\POS – 2014-8-6