

**NAILAH K. BYRD  
CLERK OF COURTS  
COMMON PLEAS COURT  
CUYAHOGA COUNTY, OHIO**

**STATE OF OHIO EX REL. DAVE YOST**

**Case: JL23161253**

vs

**Filed: 05/26/2023**

**MASTER CHROME SERVICE INC AND THE  
MASTER DEVE. CO**

**Certificate of Judgment**

Revised Code Sec. 2329

I, NAILAH K. BYRD, Clerk of the Common Pleas Court of Cuyahoga County, Ohio, do hereby certify that on the 25th day of May 2023, a judgment was by said Court rendered in favor of STATE OF OHIO EX REL. DAVE YOST OHIO ATTORNEY GENERAL and against MASTER CHROME SERVICE, INC. and THE MASTER DEVELOPMENT CO. for the sum of \$550,000.00 and interest at 5% from the 25th day of May, 2023, and \$0.00 costs of suit, in a certain action then pending in said Court, CV21949217 on the docket thereof, wherein STATE OF OHIO EX REL. DAVE YOST plaintiff, and MASTER CHROME SERVICE, INC., ET AL. defendant, which said judgment appears more fully and at large in Book IMAGE page IMAGE, of said Court.

FILED

May 26, 2023 11:10 AM

NAILAH K. BYRD

CLERK OF COURTS

CUYAHOGA COUNTY

WITNESS my hand and seal of said Court this 26th day of May, 2023.

**COPY**

Attorney: MICHAEL E IDZKOWSKI



By \_\_\_\_\_  
Deputy



**NAILAH K. BYRD**  
**CUYAHOGA COUNTY CLERK OF COURTS**

1200 Ontario Street  
 Cleveland, Ohio 44113

**R E C E I P T**

For: CIVIL

**Receipt Number: 235000047635**

Case Nbr: **JL23161253**

Date Filed: **05/26/2023**

Receipt Date: 05/26/2023

STATE OF OHIO EX REL. DAVE YOST

JUDGMENT LIEN - CUYAHOGA	25.00
--------------------------	-------

-vs-

MASTER CHROME SERVICE INC AND THE MASTER DEV

Judge: NOT APPLICABLE

Total Due	25.00
-----------	-------

Received From:

OHIO ATTORNEY GENERAL 00012241  
 30 E BROAD ST 25TH FL  
 COLUMBUS, OH 43215-0000

Cash Amount	0.00
Change	_____

Total Paid	0.00
------------	------

DEPUTY CLERK

CLIRB

COPY

FILED

MAY 26 2023

Clerk of Courts  
Cuyahoga County, Ohio

IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO

STATE OF OHIO, ex rel. )  
DAVE YOST, )  
OHIO ATTORNEY GENERAL, )  
)  
PLAINTIFF, )  
)  
V. )  
)  
MASTER CHROME SERVICE, INC., )  
et al. )  
)  
DEFENDANTS. )

CASE NO. CV-21-949217

PRAECIPE FOR CERTIFICATE OF  
JUDGMENT LIEN

TO THE CLERK OF COURTS OF CUYAHOGA COUNTY:

In accordance with R.C. 2329.02 and pursuant to the Judgment Order filed on May 25, 2023, in the Cuyahoga County Court of Common Pleas in Case No. CV-21-949217, please issue a Certificate of Judgment as to the following Defendants.

Judgment Creditor: State of Ohio, ex rel. Ohio Attorney General Dave Yost  
Environmental Enforcement Section  
30 E. Broad Street, 25<sup>th</sup> Floor  
Columbus, OH 43215

Judgment Debtor: Master Chrome Service, Inc.  
c/o Marion Florian, Statutory Agent  
5709 Herman Avenue  
Cleveland, OH 44102

The Master Development Co.  
c/o Gerald Garver, Statutory Agent  
5709 Herman Avenue  
Cleveland, OH 44102

Judgment Amount: \$550,000.00 plus interest in accordance with the R.C. 1343.03.

5% FROM 5-25-2023

Respectfully submitted,

**DAVE YOST**  
**OHIO ATTORNEY GENERAL**

*/s/Michael E. Idzkowski*

---

**MICHAEL E. IDZKOWSKI (0062839)**

Assistant Attorney General

Environmental Enforcement Section

30 East Broad Street, 25<sup>th</sup> Floor

Columbus, Ohio 43215

Phone: 614-466-2766

Fax: 614-644-1926

Michael.Idzkowski@OhioAGO.gov

*Attorney for the Plaintiff, State of Ohio*



IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO

FILED

STATE OF OHIO, et al. DAVE YOST,  
OHIO ATTORNEY GENERAL,  
CLERK OF COURTS  
CUYAHOGA COUNTY,  
Plaintiff,

v.

MASTER CHROME SERVICE, INC., et al.,

Defendants.

Case No. CV 21 949217

Hon. Kelly Ann Gallagher

**Judgment Entry Granting Default Judgment and Civil Penalty**

This matter is before the Court on Plaintiff, State of Ohio's ("State") Motion for Default Judgment against Defendants Master Chrome Service, Inc. and The Master Development Co., and the State's Civil Penalty Brief. On May 5, 2022, the Court held a telephonic default judgment hearing; Master Chrome failed to appear. A civil penalty hearing was held on May 24, 2023.

Having reviewed and considered all pleadings filed and evidence presented, the Court finds that Master Chrome Service, Inc. and The Master Development Co. have failed to answer or defend this action according to Civ.R. 12(A)(1). Therefore, Plaintiff, the State of Ohio is entitled to judgment by default against Master Chrome Service, Inc. and The Master Development Co. pursuant to Civ.R. 55(A). Accordingly, the State of Ohio's motion is GRANTED.

The Court hereby permanently ORDERS AND ENJOINS Master Chrome Service, Inc. and The Master Development Co. to comply with R.C. Chapter 3734 and the rules adopted under that Chapter, and R.C. Chapter 3752 and the rules adopted under that Chapter, including but not limited to:

- i. Prohibit Defendants from storing, treating and/or disposing any additional waste, as "waste" is defined in Ohio Adm.Code 3745-51-02, at the Facility;

- ii. Order Defendants to submit to Ohio EPA an approvable closure plan for the Facility and to implement the closure plan approved by Ohio EPA in accordance with Ohio Adm.Code 3745-55-10 through 3745-55-20;
- iii. Order Defendants to establish liability coverage in accordance with Ohio Adm.Code 3745-55-47;
- iv. Order Defendants to comply with the closure cost estimate and financial assurance requirements, including any annual updates, in accordance with Ohio Adm.Code 3745-55-41 through 3745-55-43;
- v. Order Defendants to comply with the Cessation of Regulated Operations removal and certification requirements of R.C. 3752.06 and Ohio Adm.Code 3745-352-20(A)(2)(a) through (g).

The Court recognizes that it may use its informed discretion to impose a civil penalty that is appropriate to: 1) redress the harm or risk of harm posed to public health or the environment by the violations at issue; 2) remove the economic benefit gained by the violations; 3) penalize the level of recalcitrance, defiance, or indifference demonstrated by the violator of the law; and 4) recover the extraordinary costs incurred by the State of Ohio. *State ex rel. Brown v. Dayton Malleable, Inc.*, 1 Ohio St.3d 151, 438 N.E.2d 120 (1982).

Having considered the four factors articulated in *Dayton Malleable*, the evidence submitted by the State, including but not limited to affidavits, and arguments provided in the State's Civil Penalty Brief, adopted as if incorporated in this Judgment Entry, the Court finds the civil penalty requested by the State for Defendants' violations of Ohio's hazardous waste laws and rules is warranted.

Therefore, it is hereby ORDERED that Defendants, jointly and severally, pay to the State a civil penalty of \$550,000, pursuant to R.C. 3734.13(C) within 30 days of the entry of this Judgment Entry by cashier's or certified check, made payable to "Treasurer, State of Ohio," and delivered to Sandra Finan, or her successor, at 30 East Broad Street, 25th Floor, Columbus, Ohio 43215.

The Court will retain jurisdiction of this suit for the purpose of making any order or decree the Court may deem necessary at any time to enforce and administer Defendants' compliance with, and to carry out, this Court's judgment.

It is so ordered.

Date: 5/24/23

  
\_\_\_\_\_  
JUDGE KELLY ANN GALLAGHER

Copies to be sent to:

Ian F. Gaunt (0097461)  
Karrie P. Kunkel (0089755)  
Morgan L. Trivunic (100589)  
Assistant Attorneys General  
Environmental Enforcement Section  
30 E Broad Street, 25th Floor  
Columbus, Ohio 43215  
Telephone: (614) 466-2766  
Facsimile: (614) 644-1926  
Ian.Gaunt@OhioAGO.gov  
Karrie.Kunkel@OhioAGO.gov  
Morgan.Trivunic@OhioAGO.gov

*Counsel for Plaintiff, State of Ohio*

MASTER CHROME SERVICE, INC.,  
c/o Marion Florian, Statutory Agent  
5709 Herman Avenue  
Cleveland, Ohio 44102

and

THE MASTER DEVELOPMENT CO.  
c/o Gerald Garver, Statutory Agent  
5709 Herman Avenue  
Cleveland, Ohio 44102

*Defendants*



147665276

**IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO**

STATE OF OHIO EX REL. DAVE YOST  
Plaintiff

Case No: CV-21-949217

Judge: KELLY ANN GALLAGHER

MASTER CHROME SERVICE, INC., ET AL.  
Defendant

**JOURNAL ENTRY**

92 DEFAULT - FINAL

CIVIL PENALTY HEARING HELD 5/24/2023. PLAINTIFF APPEARED THROUGH COUNSEL. DEFENDANTS FAILED TO APPEAR. MOTION FOR DEFAULT JUDGMENT AGAINST MASTER CHROME SERVICE, INC. AND THE MASTER DEVELOPMENT CO., FILED 4/28/2022, IS GRANTED. SEPARATE ORDER TO BE DOCKETED. COURT COST ASSESSED AS DIRECTED. PURSUANT TO CIV.R. 58(B), THE CLERK OF COURTS IS DIRECTED TO SERVE THIS JUDGMENT IN A MANNER PRESCRIBED BY CIV.R. 5(B). THE CLERK MUST INDICATE ON THE DOCKET THE NAMES AND ADDRESSES OF ALL PARTIES, THE METHOD OF SERVICE, AND THE COSTS ASSOCIATED WITH THIS SERVICE.

*Kelly A Gallagher*

Judge Signature

05/25/2023

- 92  
05/24/2023

RECEIVED FOR FILING  
05/25/2023 09:50:25  
NAILAH K. BYRD, CLERK