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30th JUDICIAL CIRCUIT OF INDIANA
J. SHEPHERD COURT
RENSELAER, INDIANA
JUL 2 1985

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pg 85

CAUSE NO. C-512-83 *Ralph Mathew* DATE July 2, 1985
Clerk of the Jasper Circuit Court

TITLE OF CAUSE RONALD PARTYKA and JOYCE PARTYKA vs. THE FOGELSON COMPANIES, INC., an Illinois Corp., WILLIAM T. MAMELSON, d/b/a W. T. MAMELSON ENGINEERING.

Brief Statement of Motion { Comes now the Plaintiffs, in person and by counsel, Edward P. Grimmer, and comes now the Defendant, by its attorney, Kirk Flagg, all for hearing on the Plaintiff's Petition for Hearing to Enforce Judgment of this Court and for Rule to Show Cause.

Opening statement of counsel heard.

Plaintiff's witness sworn and evidence is heard. Plaintiff Exhibits Nos. 1, 2, 3, 4 and 10 are admitted into evidence. Plaintiff rests.

Defendant presents no witnesses or exhibits, and rests.

Final statements of counsel heard.

The Court having heard the evidence and arguments of counsel and being duly advised in the premises now finds that there is now pending in the Porter Superior Court under Cause No. 83-PSC-842, the same issue against the same defendant as present in this Court. The Court further finds that the Porter Superior Court did on June 13, 1985, enter an order to protect the rights of the Plaintiffs in said cause, and the Court further finds that this Court should adopt and incorporate the Porter Superior Court order as the order in this cause as it pertains to the Plaintiffs herein against said defendants.

The Court further finds that the Plaintiff's Petition to Enforce Judgment should be granted.

IT IS THEREFORE ORDERED AND DECREED by the Court that the Porter Superior Court order of June 13, 1985, in Cause No. 83-PSC-842 is hereby adopted as the order of this Court as it pertains to these Plaintiffs and the same is hereby incorporated as part of this Court's Order by reference. That pursuant to said order, the Defendant is ordered to post a performance bond this date for the construction of the drainage structure as designed by William T. Mamelson and approved by Patrick Haas, said bond to be in the penal sum of \$143,000.00. That the Defendant may post said bond with the Clerk of the Porter Superior Court in Cause No. 83-PSC-842 or may post said

Name of Moving Counsel: { Continued on Page 2...

Name of Opposing Counsel: {

JUL 21 1 39 PM 1985
RUFUS H. GILLEY
RECORDS
STATE OF INDIANA
JASPER COUNTY
CLERK OF SUPERIOR COURT

RETURN TO: BARBER & SORBELLO
517 N. MAIN ST.
CROWN POINT, IN 46307

30th JUDICIAL CIRCUIT OF INDIANA

JASPER CIRCUIT COURT

RENSSELAER, INDIANA

CAUSE NO. C-512-83

DATE July 2, 1985

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Brief
Statement
of Motion

bond with the Clerk of this Court in this cause number.

Further pursuant to said order, the Defendant is further ordered and restrained from disposing of any corporate or business assets in the State of Indiana, the same as listed in said order of the Porter Superior Court, and the Defendant is further restrained from further encumbering the property as listed in said Porter Superior Court order.

IT IS FURTHER ORDERED that the Defendants pay to the Clerk of this Court for the use and benefit of the Plaintiffs in this cause the sum of \$175.00 per day, beginning on the 16th day of July, 1985, and a like sum to be due each day thereafter until the construction of the pond as called for in the judgment in this cause has been completed. The Court further orders that said sum of \$175.00 per day from July 16, 1985, to the date of the completion of said construction as called for in the judgment in this cause shall be a lien against all of the real estate owned by the Defendants in favor of the Plaintiffs in this cause.

FILED
IN OPEN COURT

JUL 2 1985

Ralph Mathew
Clerk of the Jasper Circuit Court

E. Duane Daugherty
E. Duane Daugherty, Judge
Jasper Circuit Court

Name of
Moving
Counsel:

[Signature]
Patrick J. Galvin, 5231 Hohman Avenue, Hammond, IN,
46320
Edward Grimmer, 517 North Main Street, Crown Point,
IN, 46307

Name of
Opposing
Counsel:

Daniel A. Gioia, 8396 Mississippi Street, Merrillville
IN, 46410

STATE OF INDIANA, Jasper COUNTY, SS:

I, Ralph Mathew, Clerk of 30th Judicial Circuit Court within and for said County and State, do hereby certify that the above and foregoing is a true and correct, full and complete copy judgment dated July 2, 1985; Judgment:

Docket # 17, page 85 C-512-83 Fee Book # 71, page 249

Ronald Partyka and Joyce Partyka vs The Fogelson Companies, In., et al

as the same appears by the original and the record thereof now on file in my office and in my custody.

WITNESS, my hand and the Seal of said Court, at Rensselaer

this 17th day of July

A. D. 19⁸⁵
Ralph Mathew
Jasper

CLERK OF THE _____ CIRCUIT COURT

Danna L. Moore, dep.

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