UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

UNITED STATES ex rel., : Case No. 3:08 cv 00455 FREBCO, INC., et al. : Judge Thomas Rose

: Magistrate Sharon Ovington

Plaintiffs,

:

v. : CONSENT ORDER, DECREE AND

JUDGMENT ENTRY; TERMINATION

DORSEY CONSTRUCTION : ENTRY

COMPANY, et al. :

This matter is before the Court pursuant to the joint request of Plaintiff Frebco, Inc. ("<u>Frebco</u>") and Defendant Dorsey Construction Company ("<u>Dorsey</u>") for the purpose of entering agreed orders, decrees and judgment, in, and for the termination of, the above-captioned cause. Being duly advised in the premises, for good cause shown, and upon agreement and consent of the parties,

IT IS HEREBY ORDERED, DECREED AND ADJUDGED as follows:

Frebco is granted a judgment against Dorsey (i) in the principal amount of \$24,815.11, plus interest from March 28, 2008 at the rate of 18% per annum until the judgment is paid in full, and (ii) for attorneys' fees of \$10,836.00 and costs of \$350.00, for a total of \$11,186.00, under the Ohio Prompt Pay Act, Section 4113.61 of the Ohio Revised Code.

Except to the extent resolved by this Consent Order, the above-captioned action, and all claims which have been or might have been asserted herein, by or against any party to this action are dismissed without prejudice. Each party shall bear his or its own costs of this action as incurred.

ENTERED this Twenty-Sixth day of March, 2009

s/Thomas M. Rose

Judge Thomas M. Rose United States District Judge

REVIEWED, AGREED UPON AND CONSENTED TO BY:

/s/ Richard K. Stovall

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