

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

OHIO WATER POLLUTION
CONTROL BOARD,

Plaintiff,

v.

CITY OF CLEVELAND,

Defendant,

v.

BEDFORD HEIGHTS, et al.,

Third-Party Defendants,

and

CITY OF BEACHWOOD, et al.,

Plaintiffs,

v.

CITY OF CLEVELAND, et al.,

Defendants.

Case No. 886,594
(Consolidated)

Motion for
Entry of Order

The Northeast Ohio Regional Sewer District ("NEORS" or "District") (formerly The Cleveland Regional Sewer District, whose member communities include various cities that were formerly involved in this case as third parties), by and through its attorneys, respectfully moves this Court for entry of the proposed Order, which is attached hereto and incorporated herein. The Order is sought to enable NEORS to receive approximately \$24 million of construction grants for Fiscal Year 1985 for which it has qualified under Title II of the Clean Water Act.

Counsel for NEORSRD has met with counsel for the State of Ohio to discuss the terms of the proposed Order. Counsel for the State of Ohio have indicated that if agreement can be reached on the terms of an Order they would not be opposed to its entry by the Court.

Affidavits of Erwin J. Odeal and Robert E. Gill in support of this Motion as attached hereto and incorporated by reference.

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Attorneys for
The Northeast Ohio
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CERTIFICATE OF SERVICE

Copies of the foregoing were sent by *messenger*
this 23rd day of September, 1985 to:

Terrence M. Fay, Esq.
Peggy Malone
Assistant Ohio Attorney General
For the State of Ohio
Environmental Enforcement Section
30 East Broad Street
Columbus, Ohio 43215

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