

STATE OF IOWA, ex rel., IOWA)
 DEPARTMENT OF NATURAL)
 RESOURCES,)
)
 Plaintiff,)
)
 vs.)
)
 BHUPEN PATEL and JAI SANTOSHI)
 MA, INC.,)
)
 Defendants.)

LAW NO. CYC#1023573
CLERK OF DISTRICT COURT

**CONSENT ORDER, JUDGMENT
AND DECREE**

The Court is presented with Plaintiff's Petition seeking civil penalties and injunctive relief pursuant to Iowa Code sections 455B.146 and 455B.307(2)-(3). The Court has reviewed the file and being advised by the parties FINDS:

1. The Court has jurisdiction over the parties and the subject matter of this action and the parties consent to entry of this Consent Order, Judgment and Decree.
2. Defendants admit the violations alleged in Plaintiff's Petition.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

3. Defendants, jointly and severally, shall pay a civil penalty pursuant to Iowa Code sections 455B.146 and 455B.307(3) of Eighty Thousand and no/100 Dollars (\$80,000.00) for the violations alleged in the petition. Defendants shall pay the penalty within ten (10) days of entry of this Consent Order, Judgment and Decree. Defendants shall pay interest pursuant to Iowa Code section 535.3(1) on any unpaid balance.
4. Payment of the penalty and interest referred to in paragraph three above shall be made payable to the State of Iowa and sent to Plaintiff's attorney, David S. Steward, at the address noted below.

5. Within an amount of time after entry of this order that is reasonable and necessary for Defendants to obtain the supervision and guidance of a licensed asbestos abatement contractor, Defendants shall identify and dispose of all asbestos-contaminated soil at the former Middle America Truck Stop property pursuant to all applicable asbestos and solid waste regulations. Defendants shall submit any related reports, test results and invoices to the undersigned counsel for Plaintiffs within ten (10) days of completing the work described herein.

6. Defendants are permanently enjoined from further violations of Administrative Order No. 2012-AQ-17/2012-SW-16, Iowa Code section 455B.307(1), 567 Iowa Admin. Code 100.4, 40 C.F.R. sections 61.145(a), 61.145(b)(1), 61.145(c)(1), 61.145(c)(6)(i), 61.145(c)(6)(ii), 61.145(c)(8), 61.150(a), 61.150(b)(1), 61.150(c), and 61.150(d)(1)-(2), (5), and 61.150(e) adopted by reference in 567 IAC 23.1(3).

7. Willful failure to comply with the terms of this Order may subject Defendants to punishment for contempt of court as well as other penalties and sanctions provided by law. The Court, therefore, retains jurisdiction over this matter to ensure compliance with the terms of this Order.

8. The costs of this action are taxed to Defendants in the amount of \$ 231.47 (Clerk to enter).

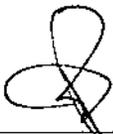
DATED this 30 day of September, 2013.

Date: 9/30/13
Mailed To: David Steward
taking care of
copies
BY: JP
Clerk of Court & Personnel Responsible
for Issuing Documents

Paul M. [Signature]
JUDGE, Sixth Judicial District of Iowa

Approved as to form:

IOWA DEPARTMENT OF
NATURAL RESOURCES



CHUCK GIPP, DIRECTOR

Bruce Trautman, for Chuck Gipp

THOMAS J. MILLER
Attorney General of Iowa

DAVID R. SHERIDAN
Assistant Attorney General



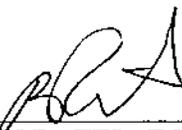
DAVID S. STEWARD, AT0007551
Assistant Attorney General
Lucas State Office Building
321 E. 12th Street
Ground Floor, Room 18
Des Moines, IA 50319
Phone: (515) 281-5351
Fax: (515) 242-6072
Email: dstewar@ag.state.ia.us

ATTORNEYS FOR PLAINTIFF

JAI SANTOSHI MA, INC.



BHUPEN PATEL, PRESIDENT



BHUPEN PATEL, INDIVIDUALLY



PATRICK T. BURK, AT0001282
Brick Gentry, P.C.
6701 Westown Parkway, Suite 100
West Des Moines, IA 50266
Phone: (515) 274-1450
Fax: (515) 274-1488
Email: pat.burk@brickgentrylaw.com

ATTORNEYS FOR DEFENDANTS