

**FINAL ORDERS OF THE VIRGINIA COURTS
IN CONTESTED CASES ARISING UNDER THE
VIRGINIA OCCUPATIONAL SAFETY AND HEALTH ACT
2017**

Goodyear Tire and Rubber Co., The, C. Ray Davenport, Commissioner of Labor and Industry v. Case No. CL17000151-00 (Circuit Court of the City of Danville)

Hutch Corporation, C. Ray Davenport, Commissioner of Labor and Industry v. Case No. CL16003381-00 (Circuit Court of the City of Virginia Beach)

Tenneco Automotive Operating Co., d/b/a Tenneco Walker Manufacturing, C. Ray Davenport, Commissioner of Labor and Industry v. Case No. CL14002551-00 (Circuit Court of the County of Rockingham)

Thousand Oak Barrel Co., C. Ray Davenport, Commissioner of Labor and Industry v. Case No. CL16007876-00 (Circuit Court of the County of Prince William) Whistleblower/Retaliation Case

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF DANVILLE

C. RAY DAVENPORT,
Commissioner of Labor and Industry,

Plaintiff,

v.

Case No. CL17-151

THE GOODYEAR TIRE AND RUBBER COMPANY

Defendant.

AGREED ORDER

Upon agreement of the parties, it is hereby ADJUDGED, ORDERED AND DECREED as follows:

1. In settlement of the matters referenced in the Complaint, the citations issued to The Goodyear Tire & Rubber Company (hereinafter "Goodyear") are resolved.
2. This Court retains jurisdiction over the parties to enforce the terms of this Order and the parties' settlement agreements. Should either party believe that the other party has materially failed to comply with any term thereof, the aggrieved party shall provide written notice to the other party stating the nature of the alleged noncompliance. The parties agree that the alleged noncompliance will be addressed through good faith negotiations. If the parties cannot thereafter resolve their disagreement, said dispute may be submitted to this Court for resolution.
3. Each party will bear its own costs and attorneys' fees in this matter.
4. The Clerk shall strike this matter from the docket and place it among the closed civil cases with leave to reinstate if the need arises. The Clerk shall certify copies of this Order to counsel of record.

ENTER this 1st day of March, 2017.



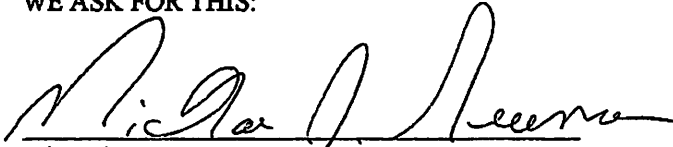
JUDGE

A COPY TESTE:

GERALD A. GIBSON, CLERK

BY 
DEPUTY CLERK

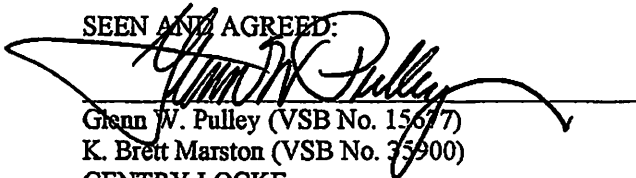
WE ASK FOR THIS:



Michael Newman
Commonwealth's Attorney
City of Danville
341 Main Street, Suite 200
Danville, Virginia 24541
Telephone: (434)797-1635
Facsimile: (434)797-4809

*Counsel For C. Ray Davenport
Commissioner of Labor and Industry*

SEEN AND AGREED:



Glenn W. Pulley (VSB No. 15677)
K. Brett Marston (VSB No. 35900)
GENTRY LOCKE
900 SunTrust Plaza
10 Franklin Road, SE, Suite 900
Post Office Box 40013 (24022-0013)
Roanoke, Virginia 24011
pulley@gentrylocke.com
Marston@gentrylocke.com
Telephone: (540)983-9300
Facsimile: (540)983-9400

Counsel For The Goodyear Tire & Rubber Company

for payment to the Commonwealth of Virginia of \$305,000.00 in civil penalties, arising from a contested Virginia Occupational Safety and Health (VOSH) citation as set out in Inspection No. 316911841. It is also ADJUDGED, ORDERED, and DECREED that the Clerk of this Court shall strike this matter from the docket and place it among the ended civil cases.


The Clerk shall mail certified copies of this order to the Defendant and to Plaintiff's counsel. Pursuant to *Rule 1:13*, endorsement shall be dispensed with.


JUDGE: 

ENTER: 3/31/17

I ask for this:

C. Ray Davenport,
Commissioner of Labor and Industry

By: 
Holly Eberly Trice (VSB No. 82735)
Diane L. Duell (VSB No. 27285)
Special Assistant Commonwealth's Attorneys
Department of Labor and Industry
600 East Main Street, Room 207
Richmond, VA 23219-2430
804.786.2641
804.371.6524 (fax)
Holly.trice@doli.virginia.gov

CERTIFIED TO BE A TRUE COPY
OF RECORD IN MY CUSTODY
TINA E. SINNEN, CLERK
CIRCUIT COURT, VIRGINIA BEACH, VA
BY 
DEPUTY CLERK

VIRGINIA:

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY

C. RAY DAVENPORT,)
Commissioner of Labor and Industry,)
Plaintiff,)

v.)

TENNECO AUTOMOTIVE OPERATING)
COMPANY INC., d/b/a TENNECO, WALKER)
MANUFACTURING COMPANY,)
Defendant.)

Civil Action No. CL1400-2551-00

VOSH Inspection No. 315680710

*Rec'd 1/30
ABA*

DISMISSAL ORDER

Upon agreement of the parties and for good cause shown, it is hereby ORDERED, ADJUDGED, and DECREED that the above captioned case is dismissed with prejudice from the Court's docket.

The parties have entered into a separate Settlement Agreement, and have settled all outstanding issues in this case.

The Clerk shall strike this matter from the docket of this Court, place it among the ended civil cases, and shall send an attested copy of this Dismissal Order to all counsel of record.

Entered this 24th day of January, 2017.

1/24/17

B. D. Albertson

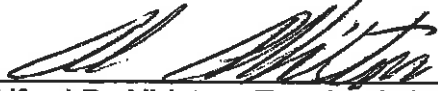
Judge Bruce D. Albertson

I CERTIFY THAT THE DOCUMENT TO WHICH THIS AUTHENTICATION IS AFFIXED IS A TRUE COPY OF A RECORD IN THE ROCKINGHAM COUNTY CIRCUIT COURT CLERK'S OFFICE AND THAT I AM THE CUSTODIAN OF THAT RECORD.

1/24/17
DATE *Matthew Reardon* 1
CLERK/DEPUTY CLERK

I ASK FOR THIS:

C. RAY DAVENPORT,
Commissioner of Labor and Industry

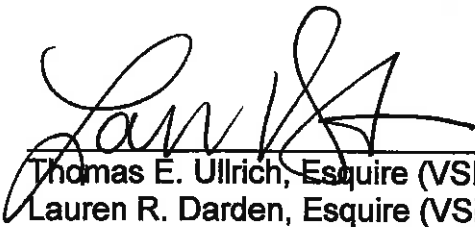


Alfred B. Albiston, Esquire (VSB No. 29851)
Special Assistant Commonwealth's Attorney
Rockingham County
c/o Department of Labor and Industry
600 East Main Street. Ste. 207
Richmond, Virginia 23219

804.786.6760
804.786.8418 fax
alfred.albiston@doli.virginia.gov

Counsel for plaintiff, C. RAY DAVENPORT, Commissioner of Labor and Industry

SEEN AND AGREED:



Thomas E. Ullrich, Esquire (VSB No. 28737)
Lauren R. Darden, Esquire (VSB No. 72867)
Wharton Aldhizer & Weaver, PLC
100 South Mason Street
P. O. Box 20028
Harrisonburg, VA 22801
Phone: (540) 434-0316
Facsimile: (540) 434-5502
Email: tullrich@wawlaw.com
ldarden@wawlaw.com

Counsel for defendant, TENNECO AUTOMOTIVE OPERATING COMPANY INC.

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF PRINCE WILLIAM

C. RAY DAVENPORT,
Commissioner of Labor and Industry,

Plaintiff,

v.

THOUSAND OAKS BARREL CO., LLC

Defendant.

)
)
)
)
) Case No. CL16007876-00
)
)
)
)


DISMISSAL ORDER

Upon agreement of the parties and for good cause shown, it is hereby ORDERED, ADJUDGED, and DECREED that the above captioned case is dismissed with prejudice from the Court's docket.

The parties have settled all outstanding issues in this case.

The Clerk shall strike this matter from the docket of this Court, place it among the ended civil cases, and shall send an attested copy of this Dismissal Order to all counsel of record.

Entered this 3rd day of May, 2017.



Judge

I ASK FOR THIS:

C. RAY DAVENPORT,
Commissioner of Labor and Industry



Alfred B. Albiston, Esquire (VSB No. 29851)
Special Assistant Commonwealth's Attorney
Prince William County
c/o Department of Labor and Industry
600 East Main Street. Ste. 207
Richmond, Virginia 23219

804.786.6760
804.786.8418 fax
alfred.albiston@doli.virginia.gov

Counsel for Plaintiff C. RAY DAVENPORT, Commissioner of Labor and Industry

SEEN AND AGREED:



Declan C. Leonard, Esq. (VSB No. 40292)
Nicholas R. Johnson, Esq. (VSB No. 80525)
Berenzweig Leonard, LLP
8300 Greensboro Drive, Suite 1250
McLean, Virginia 22102

(703) 760-0402
(703) 462-8603 fax
dleonard@berenzweigl.com
njohnson@berenzweigl.com

Counsel for Defendant THOUSAND OAKS BARREL CO., LLC