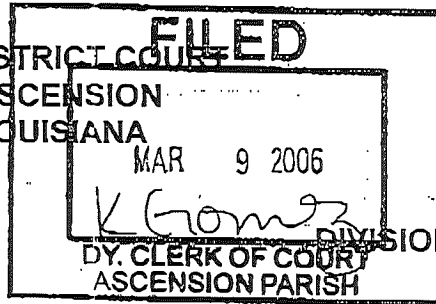


23rd JUDICIAL DISTRICT COURT
 PARISH OF ASCENSION
 STATE OF LOUISIANA



DOCKET NO. 82,488

TODD EVERETT BAUMANN, individually,
 and on behalf of all others similarly situated

Versus

D&J FILL, INC, DUANE RODOSTA,
 ACE ENTERPRISES, CARLTON R. JONES,
 and XYZ INSURANCE COMPANY

PRELIMINARY INJUNCTION

Considering the Joint Motion submitted by the Parties, Defendants, Duane Rodosta and D&J Fill ("Defendants"),

IT IS ORDERED that Duane Rodosta and D&J Fill, Inc. ("the D&J Defendants") shall inspect all trucks, containers and other shipments arriving at the D&J Fill site to determine if any materials causing odors are present. If materials causing odors are present in any truck, container and other shipment to the D&J Fill, the D&J Defendants shall remove, isolate and contain the odor-causing materials to prevent odor problems. Material that causes odors outside the fence line and that is otherwise unacceptable pursuant to Louisiana law for disposal at a wood waste or construction and debris landfill, shall be removed from the site within three days of its original delivery to the site. Material that causes odors outside the fence line, but is otherwise acceptable pursuant to Louisiana law for disposal at a wood waste or construction and debris landfill, shall be covered with fresh soil in a manner that eliminates the odor.

IT IS ALSO ORDERED that the D&J Defendants shall segregate and remove all materials determined not acceptable pursuant to Louisiana law at a wood waste or construction and debris landfill at least every three (3) days, and shall store all unacceptable materials in closed containers that prevent vector and odor problems.

IT IS ALSO ORDERED that the D&J Defendants shall cover all materials disposed at the D&J Fill site with a layer of fresh soil at least every ten (10) days unless odor causing material is present, in which case, the odor causing material shall be covered with fresh soil

in a manner that eliminates the odor.

IT IS ALSO ORDERED that the D&J Defendants shall not intentionally do or commit any act that results in or causes odors to be released from the materials delivered to the D&J Fill site for handling, storage or disposal.

IT IS ALSO ORDERED that the D&J Defendants shall not intentionally do or commit any act that results in any intentional fire in or burning of the materials handled, stored or disposed at the D&J Fill site. In the event that a fire arises at the site the D&J Defendants shall use all available means to suppress and extinguish the fire, ^{WMD BR} and shall cease disposal activities until the fire is extinguished. The D&J Defendants shall take all necessary steps to determine the origin of the fire and shall implement any changes in operation necessary to avoid a second fire from the same cause.

IT IS ALSO ORDERED that the Plaintiffs shall establish a local telephone number to receive complaints of odors. The telephone number shall be staffed by an independent answering service that shall receive complaints and document the caller's name, address, telephone number, time and date of odor, and a description of the odor. At the conclusion of this litigation, the cost for the answering service shall be taxed as costs should the Plaintiffs prevail on the merits.

IT IS ALSO ORDERED that upon receipt of complaints, Counsel for the Plaintiffs shall contact the D&J Defendants via telephone and, within twenty four (24) hours thereafter, weather permitting, the D&J Defendants shall take all steps necessary to render the odor undetectable outside the fence line. If the odor remains detectable outside the fence line, the Plaintiffs may commence an emergency hearing without the necessity of formal service of process by filing a document seeking any relief the Plaintiffs deem appropriate, and by sending a copy of said document to counsel for the Defendants via facsimile or electronic mail.

IT IS ALSO ORDERED that, in the event of a conflict in the requirements of this injunction and the terms of any permit, interim operating plan or compliance order issued by the Louisiana Department of Environmental Quality then Defendants shall comply with the most stringent of the requirements.

IT IS FINALLY ORDERED that the Plaintiffs right to bring before the Court a motion

for any other injunctive relief be and is hereby reserved. The existence of this preliminary injunction shall not be considered evidence in any such proceeding other than to enforce this preliminary injunction, however evidence gathered under the procedures set forth herein can be used by either party.

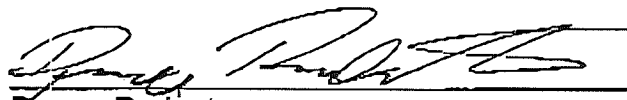
By placing their signatures herein below, the D&J Defendants confirm that they have read and understand the contents of this Preliminary Injunction and hereafter agree to abide by and comply with its conditions.

THUS DONE and SIGNED at Boutte, Louisiana on this 9th day of March, 2006.



Honorable Peagram Mire, Judge

AGREED AS TO FORM AND CONTENT:



Duane Rodosta,
individually and as an owner and officer of
D&J Fill, Inc.



William Davis
Attorney for D & J Fill, Inc.

A TRUE COPY
L. Glom
Deputy Clerk & Recorder
ASCENSION PARISH 3/9/06