

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

RECEIVED
JAN 15 2009

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

In the Matter of:)
)
Mardaph II, LLC; Mardaph III, LLC;)
and Vinnie Wilson;)
)
Cincinnati, Ohio)
Respondents.)
)

Docket No. TSCA-05-2008-0019

AFFIDAVIT IN SUPPORT OF MOTION
FOR DEFAULT JUDGMENT

I, Christopher Mizek, being duly sworn, state under oath as follows:

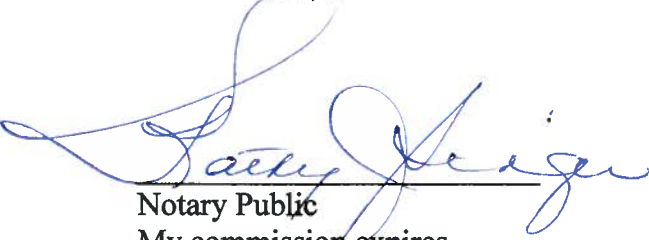
1. I am employed by the Ohio Department of Health, Division of Quality Assurance, Environmental Abatement Section, Lead Poisoning Prevention at 246 North High Street, Columbus, Ohio 43215 as a Sanitarian Program Specialist.
2. On October 22, 2008, I attempted to personally serve a copy of the Complaint entitled: **In the Matter of: Mardaph II, LLC, Mardaph III, LLC, and Vinnie Wilson**, along with a copy of the Consolidated Rules of Practice, 40 C.F.R. Part 22, and Section 1018 Disclosure Rule Enforcement Response Policy.
3. Though unsuccessful on my first attempt, I was able to personally serve Ms. Wilson with the complaint and attachments at around 3:00 pm on October 22, 2008.
4. I am over 18 years of age and have no personal or financial stake in the litigation nor am I affiliated with or related to any of the parties to the litigation.

5. Further affiant sayeth not.



Christopher Mizek

Subscribed and sworn to
before this 30 day of
December 30, 2008



Notary Public
My commission expires _____

KATHY J. SINGER
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES MARCH 6, 2012

CERTIFICATE OF SERVICE

This is to certify that the original and one copy of the Certificate of Service for the Complaint involving **In the Matter of: Mardaph II, LLC, Mardaph III, LLC, and Vinnie Wilson**, Cincinnati, Ohio, and the affidavit of Christopher Mizek was filed on January 15, 2009, with the Regional Hearing Clerk (E-13J) U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, and that a true and correct copy was sent by first class mail to:

Vinnie Wilson
7923 Rambler Place
Cincinnati, Ohio 45231



Peter Felitti, C-14J
Office of Regional Counsel
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

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CERTIFICATE OF SERVICE

This is to certify that the original and one copy of this Complaint involving **In the Matter of:**

Mardaph II, LLC, Mardaph III, LLC, and Vinnie Wilson, Cincinnati, Ohio, was filed on August 4, 2008, with the Regional Hearing Clerk (E-13J) U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, and that a true and correct copy along with a copy each of

the "Consolidated Rules of Practice, 40 C.F.R. Part 22," and "Section 1018 Disclosure Rule Enforcement Response Policy" was personally served on October 22nd, 2008 by

Andrew S. Wingo to:

Mardaph II, LLC
c/o Vinnie Wilson
105 East Fourth Street, Ste. 400
Cincinnati, Ohio 45202

Mardaph III, LLC
c/o Vinnie Wilson
105 East Fourth Street, Ste. 400
Cincinnati, Ohio 45202

Vinnie Wilson
7923 Rambler Place
Cincinnati, Ohio 45231

unsuccessful - 1st attempt
10/22/08 10:00am
successful - 2nd attempt at
3:00pm

Peter Felitti, C-14J
Office of Regional Counsel
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

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