

## RECORD OF RESOLUTIONS

Resolution No.: 2013-13

Passed: May 02, 2013

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### A RESOLUTION AUTHORIZING AND DIRECTING THE VILLAGE SOLICITOR TO FILE A LAWSUIT CONTRA WINELCO, INC AND MACK INDUSTRIES, INC

WHEREAS, the Village of West Lafayette, Ohio met April 30, 2013 with representatives of Winelco, Inc and Judicial Alternative of Ohio in an attempt to mediate and settle disputes; and,

WHEREAS, the disputes were unresolved;

NOW THEREFORE, be it resolved by the Village of West Lafayette, Ohio as follows:

SECTION I. Village Solicitor, William M. Owens is authorized and directed to file a lawsuit in the Coshocton County Court of Common Pleas for all unresolved claims contra Winelco, Inc., including but not limited to breach of contract, and Mack Industries, Inc.


SECTION II. David K. Schaffner, Attorney for the Village of West Lafayette, Ohio engineering firm, Diversified Engineering, Inc., is also retained as co-counsel for the Village of West Lafayette, Ohio regarding this lawsuit.

SECTION III. The Village of West Lafayette, Ohio consents in writing to the dual representation by David K. Schaffner, of the Village of West Lafayette, Ohio and Diversified Engineering, Inc.

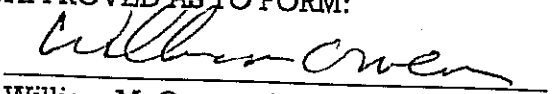
SECTION IV: The Village of West Lafayette, Ohio agrees to provide payment as necessary for all expenses and fees associated with said lawsuit; including but not limited to, expert witness fees, legal fees, investigation fees, deposition costs, and other reasonable and necessary expenses.

SECTION V. This Resolution shall be in full force and effect upon passage by council and signing by the Mayor, and shall be declared an emergency for reason said lawsuit should be filed in Coshocton County as soon as possible to resolve the matter promptly.

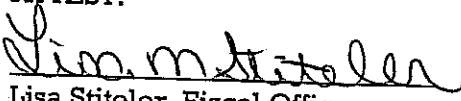
PASSED IN COUNCIL THIS 2ND day of MAY 2013

  
Jack L. Patterson, Mayor

APPROVED AS TO FORM:

  
William M. Owens, Solicitor for the Village  
of West Lafayette, Ohio

ATTEST:

  
Lisa Stiteler, Fiscal Officer