

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF NORFOLK

C. RAY DAVENPORT,
Commissioner of Labor and Industry

Plaintiff,

v.

Chancery No. 05-2944

**CHESAPEAKE TREE SERVICE,
INCORPORATED,**

Defendant.

AGREED ORDER

WHEREAS, on or about October 12, 2005, the Commissioner filed a Complaint with the Circuit Court of the City of Norfolk concerning two Citations issued to the Defendant, Chesapeake Tree Service, Inc., alleging two serious violations and one other-than-serious violation of the Virginia Occupational Safety and Health Standards (VOSH) for General Industry, and proposing a civil penalty of \$1,200.00;

WHEREAS, on June 9, 2006, the court found the Defendant in default; and

Upon agreement of the parties and for good cause shown, it is hereby ADJUDGED, ORDERED, and DECREED as follows:

1. That the proposed civil penalties be reduced to \$700.00.
2. Pursuant to *Virginia Administrative Code* § 16 VAC 25-60-40.1, Chesapeake Tree Service, Inc., shall post a copy of this order for ten (10) consecutive days at its workplace in Virginia in a conspicuous location where notices to employees generally are posted.
3. This agreement does not purport to limit the effect of Code § 40.1-51.3:2. The

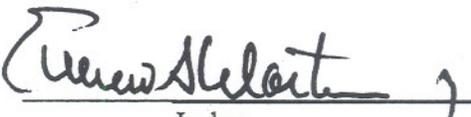
defendant's agreement to the entry of this order shall not limit the Commissioner's use of this order in future proceedings under Code § 40.1-49.4.I, -J, or -K, or under any other authority.

This order shall be construed to advance the purpose of Code § 40.1-3.

4. Each party will bear its own costs in this matter.

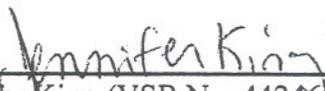
5. The Clerk shall strike this matter from the docket and place it among the ended Chancery cases. The Clerk shall certify copies of this order to the Special Assistant Commonwealth's Attorney and the Defendant's counsel.

Entered this 20th day of July, 2006.

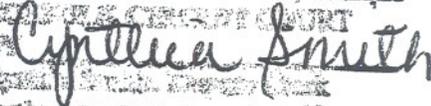

Judge
Everett A. Martin, Jr., Judge

We ask for this:

C. Ray Davenport,
Commissioner of Labor and Industry

By: 
Jennifer King (VSB No. 44246)
Special Assistant Commonwealth's Attorney
Virginia Department of Labor & Industry
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By: 
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President, Chesapeake Tree Service, Inc.
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COPY THREE
CHANCERY CLERK
NEW JUDICIAL CIRCUIT COURT

Cynthia Smith
Chancery Clerk
Authorized to sign on behalf
of George B. S. [unclear]
Date: 7-20-06