

# EXHIBIT E



## ATHENS COUNTY ENGINEER'S OFFICE

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I am pleased with the decision. As the county Engineer, I am charged under Ohio law with maintaining the county roads, and as a public servant I care about the well-being of all residents. Following three years of litigation, the federal district court correctly determined that Mrs. Madej could not establish legally, or factually, that chip sealing Dutch Creek Rd. would cause her serious physical injury. I am grateful that resources were devoted to the defense of this important case regarding the ability of elected officials to run their offices as they see fit, and without fear of litigation.

As the public is aware, the road conditions on the 2 mile section of Dutch Creek Road subject to the injunction have deteriorated substantially in the past 3 years. The road needs substantial work including ditching and berming, culvert replacement, and road reconstruction/ resurfacing. I will begin the project planning process and it will be scheduled when funding is available. In the meantime, I intend on doing maintenance work on Dutch Creek this fall and winter. That work will consist primarily of patching potholes and grading. I will notify the Madejs well in advance before doing road work on that section of Dutch Creek.