

IN THE COURT OF COMMON PLEAS OF THE 39TH JUDICIAL DISTRICT
OF PENNSYLVANIA--FRANKLIN COUNTY BRANCH

APPEAL FROM THE GREENE TOWNSHIP
ZONING HEARING BOARD DECISION OF
THE VARIANCE APPLICATION OF
PENN-MAR ETHANOL, LLC,

CIVIL ACTION

APPELLANTS:

DeETTA ANTOUN
CITIZENS FOR A QUALITY ENVIRONMENT
JOHN LUCABAUGH
KRISTI KUSCH-LUCABAUGH
FLORA LaRUE
ROBERTA REDMON
JACKIE SALMON
JOHN SCHOENBERGER
CAROL SCHOENBERGER
DUANE SCHOOLEY
GINA SCHOOLEY

NO. 2005-1581

DEPUTY
LINDA L. FERRARO
PROTHONOTARY

2005 NOV -1 12 3:31

PROTHONOTARY
FRANKLIN COUNTY

JUDGE: RICHARD J. WALSH

ORDER OF COURT


October 31, 2005, this matter having come before the Court for an evidentiary hearing on September 19, 2005 on Appellants' *Petition for a Stay of Greene Township Proceedings Related to the Land Development of Penn-Mar Ethanol, LLC* and the Court having considered the evidence presented at that hearing, as well as the Petition and Penn-Mar Ethanol, LLC's Answer, the briefs, the pre-hearing memoranda prepared by counsel, the written closing arguments submitted by counsel, and the law,

IT IS ORDERED THAT Appellant's Petition for Stay is **GRANTED**. The May 31, 2005 written decision of the Zoning Hearing Board of Greene Township, Franklin County, Pennsylvania shall remain stayed pending the Appeal. Further, the stay shall remain with respect to Penn-Mar Ethanol's pending land development plan.

Pursuant to the requirements of Pa.R.C.P. 236(a)(2), (b), (d), the Prothonotary shall immediately give written notice of the entry of this Order, including a copy of this Opinion and Order, to each party's attorney of record or to each party, if unrepresented, and shall note in the docket the giving of such notice and the time and manner thereof.

MADE A TRUE COPY
Patricia Jean Walsh
PROTHONOTARY

By the Court,


Richard J. Walsh, J.

The Prothonotary shall give notice to:

D. Reed Anderson, Esq., Counsel for Penn-Mar Ethanol, LLC
Frederic G. Antoun, Jr., Esq., Counsel for Petitioners/Appellants
David C. Cleaver, Esq., Solicitor for the Greene Township Zoning Hearing Board
Welton J. Fischer, Esq., Solicitor for Greene Township