IN THE CLEVELAND MUNICIPAL COURT HOUSING DIVISION CUYAHOGA COUNTY, OHIO JUDGE W. MONÁ SCOTT

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CITY OF CLEVELAND	
Plaintiff	
-vs	
SKINNY LABS, INC.	
d.b.a. SPIN	
Defendant	

CASE NO. 2023 CVG 8981 Chief Magistrate Myra Torain Embry

AGREED JUDGMENT ENTRY

The City of Cleveland ("City") and Defendant Skinny Labs, Inc. ("Defendant") agree as follows in settlement of the City's Motion for Temporary Restraining Order

1. Defendant shall begin by August 21, 2023, at 2:00 p.m. a "Fire Watch" at 4200 Lakeside Avenue, Cleveland (the Property), as defined under the Ohio Administrative Code, 1301:7-7-09, § 901.7, at all times of the day and night until all lithium-ion batteries are removed from the Property.

2. Defendant shall make a good faith effort to remove from the Property all lithium-ion batteries and electric-powered scooters by September 8, 2023, at 1:00 p.m.

3. Defendant shall remove 60% of the lithium-ion batteries and electric-powered scooters by September 1, 2023.

4. Defendant shall remove 90% of the lithium-ion batteries and electric-powered scooters by September 8, 2023.

5. If Defendant meets the requirements of paragraphs 3 and 4, Defendant shall have until September 15, 2023, at 1:00 p.m. to remove the remaining batteries and electric-powered scooters.

6. Defendant shall allow representatives of the City of Cleveland, not limited to the Cleveland Fire Marshall and his staff, to enter the Property daily beginning August 21, 2023 to inspect and to verify compliance with this Agreed Judgment Entry.

7. Defendant shall move all lithium-ion batteries that are not currently inside of electricpowered scooters, including the batteries in cardboard boxes, to a designated area to be palletized near the loading dock area of the Property by August 22, 2023, at 5:00 p.m. so that, were the batteries to be part of a fire, the Cleveland Fire Department could more effectively contain the fire.

8. As Defendant removes batteries from the electric-powered scooters, Defendant shall move the batteries to a designated area to be palletized near the loading dock area, moving them there by at least 5:00 p.m. on the day they were removed, or by 9:00 a.m. of the next day if they were removed after 5:00 p.m.

9. Defendant shall document that the lithium-ion batteries are not being moved to another location in Cleveland unless Defendant obtains approval from the Cleveland Fire Marshall that the location is an approved location for the storage of the materials.

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PLAINTIFF CITY OF CLEVELAND

MARK GRIFFIN (0064141) Director of Law

By:

DAVID D. ROBERTS (0059563) Chief Assistant Director of Law

ATTORNEYS FOR PLAINTIFF

DEFENDANT SKINNY LABS, INC. D.B.A. SPIN

Raine Bym

By:

RACHEL BYRNES NELSON, MULLINS

ATTORNEYS FOR DEFENDANT

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