

FOR IMMEDIATE RELEASE

Residents Win Appeal in Struggle Against MAC Construction's Asphalt Plant

Lawsuit to Have Asphalt Plant Relocated May Now Proceed

Jeffersonville, September 18, 2012: In what can only be considered a victory for the Jeffersonville residents who have been fighting the location of MAC Construction's asphalt plant for several years, the Indiana Court of Appeals has ruled that the trial court judge erred in dismissing the case. The trial court dismissed the case in November 2011. The residents appealed the dismissal.

In the decision handed down on August 31, 2012 the Appellate Court has remanded the case back to the trial court. The case may now proceed to trial.

Marilyn Widman, attorney for the plaintiffs, said of the Appellate Court's decision, "*We are very happy about this decision. The residents will finally get their day in court. This decision affirms that the American justice system does provide that everyday citizens can fight back against big business.*"

The subject of the lawsuit is MAC's controversial asphalt plant located at the Hanson Quarry in Jeffersonville. The lawsuit challenges the process used for the special exception zoning granted to MAC that allowed the asphalt plant to begin operations in 2006.

The asphalt plant has been a source of conflict for several years. Local senior citizens, property owners, and residents have repeatedly raised issues about noise, fumes, and odors from the plant.

Also, named in the lawsuit are the City of Jeffersonville, the Jeffersonville Planning and Zoning Department, the Jeffersonville Board of Zoning Appeals, the Jeffersonville Building Commission, and Ingram Land Corp. Ingram Land Corp. is the apparent owner of the property on which the asphalt plant is located.

More about the issues surrounding the MAC asphalt plant may be found on the **MAC Construction & Excavating Exposed** web site at: www.macexposed.org

###

FOR IMMEDIATE RELEASE

PAGE 1 OF 1