

SETTLEMENT AGREEMENT

The Commissioner of Labor (hereinafter referred to as "Commissioner") and Ditech Inc (hereinafter referred to as "Employer") hereby agree as follows:

The Commissioner amends the Proposed Safety Order(s) and Notification(s) of Penalty, IOSHA Inspection No. 317455905 issued to the Employer on April 8, 2015 in the following manner:

SAFETY ORDER 01:

Item 1: Upheld. Penalty reduced to \$1200.00. The machine is a Minster not a Jester power press.

Item 2: Upheld. Penalty reduced to \$360.00. Abated.

Item 3: Upheld. Penalty reduced to \$1200.00. Abated.

Item 4a and 4b: Upheld. Penalty reduced to \$1200.00.

Item 5: Upheld. Penalty reduced to \$600.00. Abated.

Item 6: Upheld. Penalty reduced to \$1200.00. Abated.

SAFETY ORDER 02:

Item 1: Upheld. Abated. *reduced to \$30.00. per*

Item 2: Upheld. Penalty reduced to \$30.00. Abatement extended to November 1, 2015.

Item 3: Upheld. Penalty reduced to \$30.00. Abatement extended to November 1, 2015.

Item 4: Upheld. Penalty reduced to \$30.00. Abated.

Employer hired a safety director on 1-1-15.

Employer established a safety committee with Hourly and management participation.

Employer has safety suggestions input available to employees on computers in work areas.

Employer agrees to work with a third party consultant or Insafe for Chromium VI sampling and conduct HAZCOM training for Chromium VI by November 1, 2015.

The TOTAL AGREED PENALTY is \$5880.00

THE EMPLOYER IS SATISFIED WITH THE AMENDMENTS STATED ABOVE AND ACCORDINGLY WAIVES ITS RIGHT TO FILE A NOTICE OF CONTEST OF THE SAFETY ORDER(S) AND NOTIFICATION(S) OF PENALTY AS AMENDED AND AGREES TO WITHDRAW ANY PREVIOUSLY FILED NOTICES OF CONTEST IN THIS MATTER.

Upon full execution of this Settlement Agreement ("Agreement") the Employer will post this Agreement for three (3) working days or until abatement is completed, whichever period is longer.

The total AGREED PENALTY is due and payable within fifteen (15) working days from the Employer's execution of this Agreement. The Employer further agrees that if the AGREED PENALTY is not paid within fifteen working days from the Employer's execution of this Agreement, that the full amount of the penalty initially assessed against the Employer in the Safety Order(s) and Notification(s) of Penalty which are the subject of this Agreement is due and payable immediately.

The Safety Order(s) and Notification(s) of Penalty are, and shall be, herein a final and enforceable Order of the Board of Safety Review.

Except for this agreement, and matters arising out of this agreement and any other subsequent IOSHA proceedings between the parties, none of the foregoing agreements, statements, findings, and actions taken by Employer shall be deemed an admission by Employer of the allegations contained within the Safety Order(s) and Notification(s) of Penalty. The agreements, statements, findings and actions taken herein are made in order to compromise and settle this matter economically and amicably, and they shall not be used for any other purpose, except as herein stated.

DITECH INC

By: Kim Park

Title: Officer

Date: 8/18/15

COMMISSIONER OF LABOR

By: [Signature]

Title: Director

Date: 8/20/15

Indiana Department of Labor

Indiana Occupational Safety and Health Administration
402 West Washington St - Room W195
Indianapolis, IN 46204
Phone: 317-232-2691 FAX: (317)233-3790



Certified mail #91 7190 0005 2720 0043 2787 4-8-15 JO

Safety Order and Notification of Penalty

To:
Ditech Inc
P O BOX 125
Edinburgh, IN 46124

Inspection Number: 317455905
CSHO ID: T4519
Optional Report No.: 0010-15
Inspection Date(s): 7/22/2014 - 7/23/2014
Issuance Date: 4/8/2015

Inspection Site:
1151 South Walnut Street
Edinburgh, IN 46124

The violation(s) described in this Safety Order and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

An inspection of your place of employment has revealed conditions which we believe do not comply with the provisions of the Indiana Occupational Safety and Health Act (Indiana Code Chapter 22-8-1.1) or the standards or rules adopted thereunder. Accordingly, enclosed please find safety order(s) and notification(s) of penalty describing such violation(s) with references to applicable standards, rules, or provisions of the statute and stating the amount of any penalty(ies).

Informal Conference - Please be advised that it may be possible to informally settle any potential dispute without initiating the more elaborate proceedings brought on by a petition for review. Prior to filing a petition for review, you may request an informal conference concerning any of the results of the inspection (safety orders, penalties, abatement dates, etc.) by contacting the Indiana Department of Labor/IOSHA, preferably by telephone, in a prompt manner. Please be advised that a request for an informal conference cannot extend the fifteen working day period for filing a petition for review. Informal conferences frequently resolve any possible disputes, and therefore you are urged to take advantage of this opportunity. Because of the limited time period and in order to facilitate scheduling, any requests for an informal conference should be made promptly upon your receipt of the safety order(s) and notification(s) of penalty.

Right to Contest - You are hereby also notified that you are entitled to seek administrative review of the safety order(s), penalty(ies), or both by filing a written petition for review at the above address postmarked within fifteen working days of your receipt of the safety order(s) and notification(s) of penalty. ("Working days" means Mondays through Fridays, but does not include Saturdays, Sundays, legal holidays under a state statute or days on which the Indiana Department of Labor's offices are closed during regular business hours). If you do not file such a petition for review (contest), the safety order(s)

and penalty(ies) shall be deemed final orders of the Board of Safety Review and not subject to review by any court or agency. The issuance of a safety order does not constitute a finding that a violation has occurred unless no petition for review is filed, or if a petition for review (contest) is filed, it must contain a statement of its basis and should reference the above inspection number. Upon receipt of your petition for review, we will affirm, amend or dismiss the safety order(s) and notification(s) of penalty. If we affirm, your petition for review will be granted (unless it was not timely) and the dispute will be certified by the Board of Safety Review for further proceedings. The Board of Safety Review is an independent agency appointed by the governor with authority to conduct hearings and to issue decisions concerning disputed safety order(s) and notification(s) of penalty. If we amend the safety order(s) or notification(s) of penalty, your petition for review shall be deemed moot. However, you will then be given an opportunity to file a petition for review concerning the amended safety order(s) and notification(s) of penalty.

Please be advised that an employee or representative of employees may file a petition for review to contest the reasonableness of the time stated in the safety order(s) for the abatement of any violation.

Posting - Upon receipt of any safety order(s) you are required to post such safety order(s), or a copy thereof, unedited, at or near each place an alleged violation referred to in the safety order(s) occurred. However, if your operations are such that it is not practicable to post the safety order(s) at or near each place of alleged violation, such safety order(s) shall be posted, unedited, in a prominent place where it will be readily observable by all affected employees. For example, if you are engaged in activities which are physically dispersed, the safety order(s) may be posted at the location from which the employees operate to carry out their activities. You must take steps to ensure that the safety order is not altered, defaced, or covered by other material. Posting shall be until the violation is abated, or for three working days, whichever is longer.

Penalties - Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Abatement does not constitute payment of penalties.

Abatement - The conditions cited in the safety order(s) must be corrected (abated) on or before the date shown for each item on the safety order(s) and notification(s) of penalty unless:

- (1) You file a petition for review concerning the violation, in which case the full abatement period shall commence from the issuance of a final decision by the Board of Safety Review or the courts which requires compliance with the safety order; or
- (2) The abatement period is extended by the granting of a petition for modification of abatement date.

PMAs - The petition for modification of abatement date is a manner in which you may seek additional time to correct (abate) a violation without having to file a petition for review concerning the safety order, or after the expiration of the time period to file such a petition for review when it becomes apparent that you need extra time to abate the violation. A petition for modification of abatement date shall be in writing and shall include the following information:

- (1) All steps you have taken, and the dates of such actions, in an effort to achieve compliance

during the prescribed abatement period.

(2) The specific additional abatement time necessary in order to achieve compliance.

(3) The reasons such additional time is necessary, including the unavailability of professional or technical personnel or of materials and equipment, or because necessary construction or alteration of facilities cannot be completed by the original abatement date.

(4) All available interim steps being taken to safeguard employees against the cited hazard during the abatement period.

(5) A certification that a copy of the petition has been posted, and if appropriate, served on the authorized representative of affected employees, and a certification of the date upon which such posting and service was made.

A petition for modification of abatement date shall be filed with the Indiana Department of Labor/IOSHA no later than the close of the next working day following the date on which abatement was originally required. A later-filed petition shall be accompanied by the employer's statement of exceptional circumstances explaining the delay. A copy of such petition shall be posted in a conspicuous place where all affected employees will have notice thereof or near such location where the violation occurred. The petition shall remain posted until the time period for the filing of a petition for review of the Commissioner's granting or denying the petition expires. Where affected employees are represented by an authorized representative, said representative shall be served a copy of such petition.

Notification of Corrective Action - Correction of the alleged violations which have an abatement period of thirty (30) days or less should be reported in writing to us promptly upon correction. A "Letter of Abatement" form and an "Abatement Photographs" worksheet are enclosed for your assistance in providing adequate documentation of abatement. Reports of corrections should show specific corrective action on each alleged violation and the date of such action. On alleged violations with abatement periods of more than thirty (30) days, a written progress report should be submitted, detailing what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, we should be so advised. Timely correction of an alleged violation does not affect the initial proposed penalty..

Followup Inspections - Please be advised that a followup inspection may be made for the purpose of ascertaining that you have posted the safety order(s) and corrected the alleged violations. Failure to correct an alleged violation may result in additional penalties for each day that the violation has not been corrected.

Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the Indiana Department of Labor/IOSHA at the address shown above.

Notice to Employees - The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must

be mailed to the Indiana Department of Labor/IOSHA at the address shown above within fifteen (15) working days (excluding weekends and State holidays) or receipt by the employer of this safety order and penalty.

If you wish additional information, you may direct such requests to us at the address or telephone number stated above.

Indiana Department of Labor

NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with IOSHA to discuss the safety order(s) issued on 4/8/2015. The conference will be held at the IOSHA office located at 402 West Washington Street, Room W195, Indianapolis, IN 46204 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317455905
Inspection Date(s): 7/22/2014 - 7/23/2014
Issuance Date: 4/8/2015
CSHO ID: T4519
Optional Report No.: 0010-15

Safety Order and Notification of Penalty

Company Name: Ditech Inc
Inspection Site: 1151 South Walnut Street, Edinburgh, IN 46124

Safety Order 01 Item 001 Type of Violation: **Serious**

29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of potentially hazardous energy when employees were engaged in activities covered by this section:

Perf press area - Machine-specific procedures were not used to lockout equipment when changing sub-dies on mechanical power presses such as, but not limited to, Jester 200-ton press on a regular and routine basis.

Date By Which Violation Must Be Abated: 5/12/2015
Proposed Penalty: \$4,000.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317455905
Inspection Date(s): 7/22/2014 - 7/23/2014
Issuance Date: 4/8/2015
CSHO ID: T4519
Optional Report No.: 0010-15

Safety Order and Notification of Penalty

Company Name: Ditech Inc
Inspection Site: 1151 South Walnut Street, Edinburgh, IN 46124

Safety Order 01 Item 003 Type of Violation: **Serious**

29 CFR 1910.217(b)(7)(iii): Mechanical power press(es) using part revolution clutches were not provided with a means of selecting off, inch, single stroke, and continuous (when the continuous function was furnished) with the clutch/brake control to select type of operation of the press. Fixing of selection shall be by means capable of supervision by the employer:

D200 cell - Employees reached into the point of operation of part-revolution mechanical power presses such as, but not limited to, E-75 Niagara 75-ton press on a regular and routine basis with the mode selector switch key left in the machine.

Date By Which Violation Must Be Abated: **5/12/2015**
Proposed Penalty: **\$4,000.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317455905
Inspection Date(s): 7/22/2014 - 7/23/2014
Issuance Date: 4/8/2015
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Safety Order and Notification of Penalty

Company Name: Ditech Inc
Inspection Site: 1151 South Walnut Street, Edinburgh, IN 46124

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Safety Order 01 Item 004a Type of Violation: **Serious**

29 CFR 1910.217(c)(1)(i): The employer did not provide and ensure the usage of point of operation guards or properly applied and adjusted point of operation devices on every operation performed on mechanical power press(es):

a) D194 cell - The back of mechanical power presses such as, but not limited to, AIDA 60 Model NC1-60(2) had an opening 25 1/4 inches wide and 18 1/2 inches high. Employees operated the press while other employees used the walkway behind the AIDA 60 Model NC1-60(2) press on a regular and routine basis.

b) Perf press area - Part ejection openings 20 inches tall by 22 inches wide on the side of mechanical power presses such as, but not limited to, 200-ton Jester Press (4810) were not guarded. Employees stood next to the unguarded opening on a regular and routine basis to move work pieces.

Date By Which Violation Must Be Abated: **5/12/2015**
Proposed Penalty: **\$4,000.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317455905
Inspection Date(s): 7/22/2014 - 7/23/2014
Issuance Date: 4/8/2015
CSHO ID: T4519
Optional Report No.: 0010-15

Safety Order and Notification of Penalty

Company Name: Ditech Inc
Inspection Site: 1151 South Walnut Street, Edinburgh, IN 46124

Safety Order 01 Item 004b Type of Violation: **Serious**

29 CFR 1910.217(c)(2)(i)(b): Point of operation guard(s) on mechanical power press(es) did not conform to the maximum permissible opening(s) specified in Table 10 O-10:

a) D194 cell - The back of mechanical power presses such as, but not limited to, AIDA 60 Model NC1-60(2) had an opening 25 1/4 inches wide and 18 1/2 inches high. Employees operated the press while other employees used the walkway behind the AIDA 60 Model NC1-60(2) press on a regular and routine basis.

b) Perf press area - Part ejection openings 20 inches tall by 22 inches wide on the side of mechanical power presses such as, but not limited to, 200-ton Jester Press (4810) were not guarded. Employees stood next to the unguarded opening on a regular and routine basis to move work pieces.

Date By Which Violation Must Be Abated: **5/12/2015**
Proposed Penalty: **\$0.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317455905
Inspection Date(s): 7/22/2014 - 7/23/2014
Issuance Date: 4/8/2015
CSHO ID: T4519
Optional Report No.: 0010-15

Safety Order and Notification of Penalty

Company Name: Ditech Inc
Inspection Site: 1151 South Walnut Street, Edinburgh, IN 46124

Safety Order 01 Item 005 Type of Violation: **Serious**

29 CFR 1910.217(c)(3)(viii)(d): Two hand trip devices of mechanical power press were not fixed in position so that only a supervisor or safety engineer was capable of relocating the controls:

D194 cell - Two-hand trip controls on part-revolution mechanical power presses such as, but not limited to, AIDA 60-ton press used by employees on a regular and routine basis were not affixed to the machine or floor to prevent operators from relocating the controls. The power press was affixed with light curtains.

Date By Which Violation Must Be Abated: **5/12/2015**
Proposed Penalty: **\$2,000.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317455905
Inspection Date(s): 7/22/2014 - 7/23/2014
Issuance Date: 4/8/2015
CSHO ID: T4519
Optional Report No.: 0010-15

Safety Order and Notification of Penalty

Company Name: Ditech Inc
Inspection Site: 1151 South Walnut Street, Edinburgh, IN 46124

Safety Order 01 Item 006 Type of Violation: **Serious**

29 CFR 1910.217(e)(1)(i)[A]: Periodic and regular inspections of each power press was not conducted to ensure that all of its parts, auxiliary equipment, and safeguards, including the clutch/brake mechanism, antirepeat feature, and single-stroke mechanism, are in a safe operating condition and adjustment:

- a) D194 cell - Employees operated mechanical power presses such as, but not limited to, Aida 60-ton power press (S/N 17510-ovo-60-30) up to eight hours daily without safety blocks attached to the interlock devices.

- b) Perf press area - Employees operated mechanical power presses such as, but not limited to, 200-ton Jester Press up to eight hours daily without safety blocks attached to the interlock devices.

Date By Which Violation Must Be Abated: **5/12/2015**
Proposed Penalty: **\$4,000.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317455905
Inspection Date(s): 7/22/2014 - 7/23/2014
Issuance Date: 4/8/2015
CSHO ID: T4519
Optional Report No.: 0010-15

Safety Order and Notification of Penalty

Company Name: Ditech Inc
Inspection Site: 1151 South Walnut Street, Edinburgh, IN 46124

Safety Order 02 Item 001 Type of Violation: **NonSerious**

29 CFR 1910.134(d)(1)(iii): The employer did not identify and evaluate the respiratory hazard(s) in the workplace; including a reasonable estimate of employee exposures to respiratory hazards and identification of the contaminants chemical state and physical form:

Facility - The health hazards associated with dust were not evaluated for employees who handled fiberglass insulation and stainless steel wool insulation on a regular and routine basis.

Date By Which Violation Must Be Abated: **5/12/2015**
Proposed Penalty: **\$100.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317455905
Inspection Date(s): 7/22/2014 - 7/23/2014
Issuance Date: 4/8/2015
CSHO ID: T4519
Optional Report No.: 0010-15

Safety Order and Notification of Penalty

Company Name: Ditech Inc
Inspection Site: 1151 South Walnut Street, Edinburgh, IN 46124

Safety Order 02 Item 002 Type of Violation: **NonSerious**

29 CFR 1910.1026(d)(1): The employer did not determine the 8-hour time-weighted average (TWA) exposure for each employee exposed to chromium (VI) in accordance with either paragraph (d)(2) or paragraph (d)(3) of this section:

Facility - Employees who operated various welding equipment on a regular and routine basis were not evaluated for exposure to chromium (VI) when welding on materials such as, but not limited to, 409 and 439 stainless steel.

Date By Which Violation Must Be Abated: **5/12/2015**
Proposed Penalty: **\$100.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317455905
Inspection Date(s): 7/22/2014 - 7/23/2014
Issuance Date: 4/8/2015
CSHO ID: T4519
Optional Report No.: 0010-15

Safety Order and Notification of Penalty

Company Name: Ditech Inc
Inspection Site: 1151 South Walnut Street, Edinburgh, IN 46124

Safety Order 02 Item 003 Type of Violation: **NonSerious**

29 CFR 1910.1026(l)(1)(i): Chemical manufacturers, importers, distributors and employers did not comply with all requirements of the Hazard Communication Standard (HCS) (Sec. 1910.1200) for chromium (VI):

Facility - Employees who operated various welding equipment on a regular and routine basis were not provided with hazard communication training regarding the hazards of chromium (VI) when welding on materials such as, but not limited to, 409 and 439 stainless steel.

Date By Which Violation Must Be Abated: **5/12/2015**
Proposed Penalty: **\$100.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317455905
Inspection Date(s): 7/22/2014 - 7/23/2014
Issuance Date: 4/8/2015
CSHO ID: T4519
Optional Report No.: 0010-15

Safety Order and Notification of Penalty

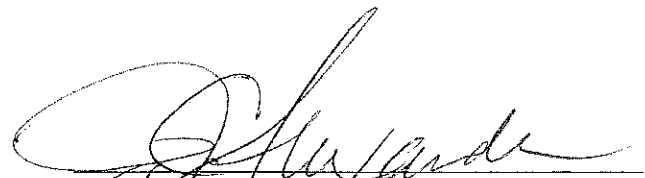
Company Name: Ditech Inc
Inspection Site: 1151 South Walnut Street, Edinburgh, IN 46124

Safety Order 02 Item 004 Type of Violation: **NonSerious**

29 CFR 1910.1200(f)(6)(ii): Except as provided in 29 CFR 1910.1200(f)(7) and 29 CFR 1910.1200(f)(8), the employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals and which, in conjunction with the other information immediately available to employees under the hazard communication program, would provide employees with the specific information regarding the physical and health hazards of the hazardous chemical:

- a) D194 cell - Spray bottles containing an oil/water mixture used by employees to lubricate mechanical power presses on a regular and routine basis were not labeled to identify its contents.
- b) Perf press area - Unlabeled containers storing an unknown substance were stored next to mechanical power presses such as, but not limited to, Jester 200 presses.

Date By Which Violation Must Be Abated: **5/12/2015**
Proposed Penalty: **\$100.00**


Julie C. Alexander, J.D.
Director of General Industry

Indiana Department of Labor

Indiana Occupational Safety and Health Administration
402 West Washington St - Room W195
Indianapolis, IN 46204
Phone: (317)232-2691 FAX: (317)233-3790



INVOICE/DEBT COLLECTION NOTICE

Company Name: Ditech Inc
Inspection Site: 1151 South Walnut Street, Edinburgh, IN 46124
Issuance Date: 4/8/2015

Summary of Penalties for Inspection Number: 317455905

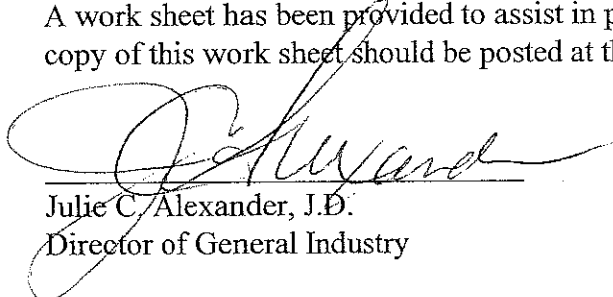
Safety Order 1, Serious	= \$19,200.00
Safety Order 2, NonSerious	= \$400.00
TOTAL PENALTIES	= \$19,600.00

Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Make your check or money order payable to: "Indiana DOL/IOSHA". Please indicate IOSHA's Inspection Number (indicated above) on the remittance.

IOSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

Corrective action, taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Safety Order and Notification of Penalty.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the safety order(s).


Julie C. Alexander, J.D.
Director of General Industry

4/8/15
Date