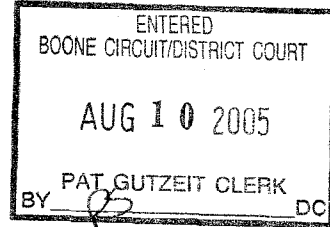


COMMONWEALTH OF KENTUCKY
BOONE COUNTY CIRCUIT COURT
54th JUDICIAL CIRCUIT
CASE NO. 05-CI-00436



MILDRED ABBOT, et al)
)
 Plaintiffs)
)
 vs.)
)
 STANLEY M. CHESLEY, et al)
)
 Defendants)

CASE NO. 05-CI-00356

KENTUCKY FUND FOR HEALTHY)
LIVING, INC.)
)
 Plaintiff)
)
 vs.)
)
 MILDRED ABBOTT, et al)
)
 Defendants)

This matter was before the Court for a Status Conference on August 8, 2005, during which counsel for the parties were present. Mr. Frank Benton, IV, Esq., moved the Court to note his appearance and substitution of counsel for Defendant Chesley to which there was no objection. Mr. William Johnson, Esq., moved the Court to withdraw as counsel for Defendant Chesley. Further, there are pending before the Court Plaintiffs' Motions to Compel and Motion to Amend Complaint to add additional Plaintiffs. There was discussion relative to the proceeding of discovery in this matter. Also, the Court returned to counsel for the Fund exhibits proffered to the Court during the

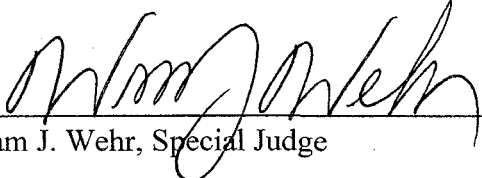
last conference on June 13, 2005. Accordingly, the Court being in all other ways sufficiently advised;

IT IS ORDERED that Mr. Benton's Motion to Substitute Counsel and Mr. Johnson's Motion to Withdraw as Counsel are sustained. Further, **IT IS ORDERED** that Defendants shall file a Response to Plaintiffs' Motions on or before August 15, 2005. Any Replies by the Plaintiffs shall be filed on or before August 22, 2005, after which the Court shall submit on the Motions. Counsel shall mail courtesy copies to the Court at the Newport address. Any documents objected to by the Defendants shall be submitted to the Court for in camera review.

Further, **IT IS ORDERED** that counsel for the Fund shall make copies of the exhibits tendered to the Court on June 13, 2005, and returned to counsel during the status conference on August 8, 2005, and furnish those to counsel for the Plaintiffs at his cost. Further, **IT IS ORDERED** that the four documents contained in the brown folders shall be entered into the record in Case No. 05-CI-00356 as exhibits to the Fund's Complaint.

Further, **IT IS ORDERED** that, other than Ordered above, all counsel shall be responsible for the cost of copying requested documents.

Further, **IT IS ORDERED** that this matter shall be set for a Status Conference on October 24, 2005 at 9:30 a.m. which shall be the deadline for completing all paper discovery.



William J. Wehr, Special Judge

cc: Ms. Angela M. Ford, Esq.
836 Euclid Avenue, Suite 311
Lexington, KY 40502

Mr. William Johnson, Esq.
326 W. Main Street
Frankfort, KY 40601

Mr. Robert Sanders, Esq./Mr. Justin Sanders, Esq.
1017 Russell Street
Covington, KY 41011

Mr. Frank V. Benton, IV, Esq.
528 Overton Street
Newport, KY 41071

Honorable William J. Wehr
Special Judge
Campbell County Courthouse
330 York Street
Newport, KY 41071

CERTIFICATE

I, **PAT GUTZEIT**, Clerk of the Boone District/Circuit Court, hereby certify that I have mailed a copy of the foregoing order and notice to all parties hereto at their last known addresses or their counsel of record this 10 day of August, 2005.

PAT GUTZEIT
BOONE DISTRICT/CIRCUIT COURT

P. Gutzeit D.C.