

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

ENTERED
BOONE CIRCUIT/DISTRICT COURT
OCT 13 2006
PAT GLITZERT CLERK
BY *[Signature]* DC

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

ORDER

CASE NO. 05-CI-00356

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

This matter is before the Court upon Plaintiffs' Motion to Transfer Funds and Establish a Qualified Settlement Fund and Appoint Administrator. The Court reviewed the record, including all the memoranda filed by the parties, considered all other matters and otherwise was advised sufficiently. Accordingly;

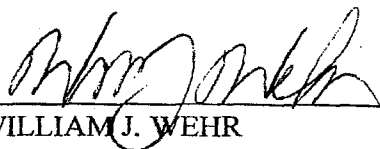
Since no other claims were made against the remaining settlement funds before they were transferred to the Kentucky Fund, and since no valid argument has been made as to why these funds should not now be transferred to a qualified settlement fund (QSF), Plaintiffs' Motions are sustained.

Therefore, **IT IS ORDERED** that a settlement fund shall be established as a Qualified Settlement Fund within the meaning of Internal Revenue Code Section 468B and Treasury Regulation Section 1.468B-1 and pursuant to this Court's subject matter jurisdiction under Internal Revenue Code Section 468B and Treasury Regulation Section 1.468B-1(c)(1).

Further, **IT IS ORDERED** Matthew L Garretson of The Garretson Law Firm is appointed as Fund Administrator and said Fund Administrator is given the authority to conduct any and all activities necessary to preserve these funds pending further Order of the Court.

Further, **IT IS ORDERED** the funds held by the Kentucky Fund for Healthy Living shall be transferred into the fund.

Dated this 12TH day of October, 2006.



JUDGE WILLIAM J. WEHR

cc: Hon. Angela M. Ford
Hon. William T. Ramsey
Hon. Luther C. Conner, Jr.
Hon. William E. Johnson
Hon. Frank B. Benton
Hon. Elizabeth R. Seif
Kentucky Fund for Healthy Living
Hon. James E. Shuffett
Hon. Mary E. Meade-McKenzie
Hon. Calvin Fulkerson/Hon. Gilbert L. Busby
Hon. C. Alex Rose
Hon. William J. Wehr, Special Judge