

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

ENTERED
BOONE CIRCUIT DISTRICT COURT
DEC 27 2006
DIANNE MURRAY, CLERK
BY *DM* 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 was before the Court on December 11, 2006, during which counsel for the parties were present. Accordingly, the Court being in all ways sufficiently advised;

IT IS ORDERED AND ADJUDGED that Plaintiffs' Motion to File a Fourth Amended Complaint to add parties plaintiff is SUSTAINED and the Fourth Amended Complaint tendered to the Court shall be deemed filed of record. There is no ruling that this matter has been certified as a class.

Further, **IT IS ORDERED** that Plaintiffs shall file their Reply to Richard

Lawrence's Memorandum in Opposition to Plaintiffs' Motion to Compel on or before December 31, 2006.

Further, **IT IS ORDERED** that the parties shall agree on a briefing schedule in order to have the briefing completed and filed by February 2, 2007, on all pending matters.

Counsel is reminded to send courtesy copies to the Special Judge to have in hand by February 2, 2007.

Further, **IT IS ORDERED** that the Agreed Order relative to Plaintiffs' Motion to Compel Production of Documents from Melbourne Mills and Rebecca Phipps shall be tendered to the Court.

Further, **IT IS ORDERED** that the Defendants' Motion to Quash a Subpoena Duces Tecum served on Community Trust Bank is also under submission until February 2, 2007.

Further, **IT IS ORDERED** that Defendant's Motion for a Protective Order relative to Judge Bamberger is withdrawn.

Further, **IT IS ORDERED** that the tape of a hearing in the underlying case, Boone Circuit Court, Jonetta M. Moore, et. al., v. A.H. Robins Co., et. al., 98-CI-00795, sent to the Court in this matter dated March 18, 2004, and April 14, 2003, shall be placed of record in that case by the Boone County Circuit Court Clerk.

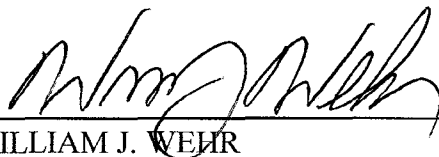
Further, **IT IS ORDERED** that the Motions for Summary Judgment as to Defendant Chesley and for Disgorgement also shall be fully briefed by February 2, 2007.

Counsel is reminded to send courtesy copies of all pleadings to the Special Judge to have in hand by February 2, 2007.

Further, **IT IS ORDERED** counsel shall not schedule any additional court activity in the month of September 2007 until the next Pretrial Conference.

Further, **IT IS ORDERED** that this matter shall be set for a Pretrial Conference and hearing on all pending matters on February 12, 2007, at 9:30 a.m.

Dated this ^{SI} 21 day of December, 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, IV
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