

IN THE CIRCUIT COURT FOR
MONTGOMERY COUNTY, ALABAMA

STATE OF ALABAMA, <i>ex rel.</i>)	
WALTER A. BELL, as Commissioner of)	
Insurance,)	
)	
Plaintiff,)	Civil Action Number
)	CV-04-645
v.)	
)	
OAKWOOD CEMETERY ANNEX,)	
an Alabama corporation,)	
)	
Defendant.)	

ORDER ON COMPLAINT FOR PRELIMINARY INJUNCTION

This matter came before the court on March 22, 2004, on the verified complaint of the plaintiff, the State of Alabama, *ex rel.* Walter A. Bell, as Commissioner of the State of Alabama Department of Insurance, vs. Oakwood Cemetery Annex ("Oakwood Annex). Representing the Department at the hearing was John J. Davis, Assistant Attorney General for the State of Alabama.

This court has considered the testimony and other evidence offered at the hearing, the court's file in this case, and the representations of parties and counsel. Based on the foregoing, for good cause shown, it is hereby **ORDERED, ADJUDGED, and DECREED** as follows.

1. Paragraph 11 of the temporary restraining order entered in this case on March 11, 2004, is hereby deleted and the following paragraph is substituted:

"Pursuant to §§27-32-1 through 41 and 27-2-53 of the Alabama Code, Denise Azar ("Azar"), Chief of the Receivership Division of the Department, is hereby temporarily appointed to be the receiver of Oakwood Annex and is directed and is authorized to immediately take possession of the assets, including real and personal property, of Oakwood Annex and administer those assets under the orders of this court for the purpose of attempting to dissolve, liquidate, and conserve those assets;"

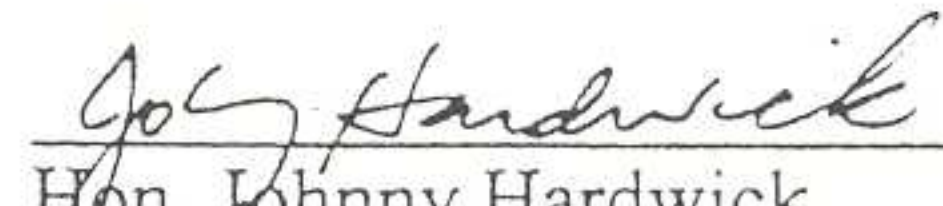
2. The remaining terms of the temporary restraining order entered in this case on March 11, 2004, are hereby incorporated and converted into a preliminary injunction which shall remain in effect until a trial of the merits of this civil action or until otherwise modified by this court.

3. Any and all individuals or entities having custody and control of assets and property, both real and personal, belonging to Oakwood Annex are hereby directed to turn them over to the

receiver appointed by the court for her conservation and use in the operation of the business affairs of Oakwood Annex.

4. Any and all individuals or entities having custody and control of records or documents reflecting, relating, or pertaining, in any way, to the business or financial affairs of Oakwood Annex are hereby directed to immediately make those records available to the receiver for inspection and copying by the Receiver.

Done this 22nd day of March, 2004.



Hon. Johnny Hardwick
Circuit Judge

Copy of Order Served on:

Vincent R. Ledlow
Associate Counsel
Alabama Department of Insurance
P.O. Box 303351
Montgomery, AL 36130-3351