

FILED DISTRICT COURT
Third Judicial District

JUL 31 2009

SALT LAKE COUNTY

By _____ Deputy Clerk

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IN THE THIRD DISTRICT COURT, SALT LAKE COUNTY

STATE OF UTAH

A. DAVID BARNES, M.D., P.C.,

Plaintiff,

vs.

FFCF INVESTORS, LLC, et al.

Defendants.

ORDER CONSOLIDATING CASES

Case No. 080922273

Judge: Denise P. Lindberg

FFCF INVESTORS, LLC,

Plaintiff,

vs.

RICHARD SMITH, et al.

Defendants.

This cause came to be heard before this Court on the Receiver's Motion to Consolidate Cases and Memorandum in Support. The Motion was filed April 10, 2009 and no opposition was filed to the motion. No hearing was requested by any party. At a status hearing held on July

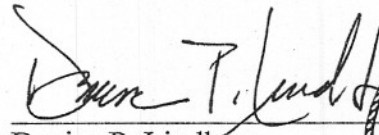
20, 2009, the Court noted that there had been no opposition to the motion and orally granted the motion. The Court asked the Receiver to prepare an order for the Court.

IT IS HEREBY ORDERED That:

1. The Receiver's motion is granted and Case No. 080925879 (currently pending before Judge Leon A. Dever) is consolidated with and into this case.
2. All future motions and other filings related to either of these cases shall use the number of the first-filed case, Case No. 080922273, and the caption listed in this Order.
3. The Clerk of the Court is directed to consolidate the files from Case No. 080925879 with the files of this case.

DATED This 31 day of July, 2009.

BY THE COURT:


Denise P. Lindberg
Third District Court Judge



CERTIFICATE OF SERVICE

I hereby certify that on the ___ day of July, 2009, true copies of the foregoing Order

Consolidating Cases were mailed to the following:

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