

OCT - 1 2009

SALT LAKE COUNTY

By _____

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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.

FFCF INVESTORS, LLC,

Plaintiff,

vs.

RICHARD SMITH, et al.

Defendants.

**ORDER APPROVING SETTLEMENT
AGREEMENTS, DISMISSING
DEFENDANTS, AND APPROVING
EXPENDITURE OF FUNDS**

Case No. 080922273

Judge: Denise P. Lindberg

This cause came to be heard before this Court on the Receiver's September 8, 2009

Motion to Approve Settlement Agreements, Dismiss Defendants, and Approve Expenditures of

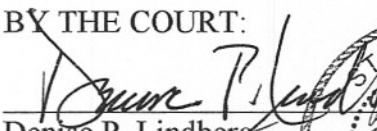
Funds. The Court having considered the Receiver's motion and memorandum and the record in the case,

IT IS HEREBY ORDERED that the Receiver's motion is granted. Accordingly, it is ordered that:

1. The settlement agreements between the Receiver and Bary Jones, Kelly Cook, Richard C. Young, and David A. Young are approved.
2. The Receiver is hereby authorized to enter into future settlements that he deems appropriate without prior approval of or notice to the Court;
3. Bary Jones, Richard C. Young, and David A. Young are dismissed from the current action, with prejudice;
4. Gerald (Jerry) Millard, Millard Living Trust, Stanford Peterson, and Michael Usher are dismissed from the current action, without prejudice to refileing;
5. The Receiver is authorized to use funds in the Receivership account for routine litigation expenses; and
6. The Receiver is authorized to commit the availability of funds in the Receivership bank account as "seed money" for litigation seeking recoveries from other persons.

DATED this 1 day of ^{October}~~September~~, 2009.

BY THE COURT:


Denise P. Lindberg
Third District Court Judge

