IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

Oklahoma Department of Securities, ex rel. Irving L. Faught, Administrator, Plaintiff,	)	
vs.	)	Case No. CJ-99-2500-66
Accelerated Benefits Corporation, a Florida Corporation, *et al.*, Defendants.	)	Judge Daniel L. Owens

FILED IN THE DISTRICT COURT OKLAHOMA COUNTY, OKLA.
JUL - 8 2004
PATRICIA PRESLEY, COURT CLERK
by _____ Deputy

NOTICE OF HEARING

Please be advised that a hearing on the Conservator's Motion to Settle Journal Entry has been set for the 9th day of July, 2004, at 9:00 a.m., before the Honorable Judge Daniel L. Owens.

Respectfully submitted,

Melvin R. McVay, Jr., OBA No. 6096
Thomas P. Manning, OBA No. 16117
PHILLIPS McFALL McCAFFREY
McVAY & MURRAH, P.C.
Twelfth Floor, One Leadership Square
211 North Robinson
Oklahoma City, Oklahoma 73102
Telephone: (405) 235-4100
Facsimile: (405) 235-4562
ATTORNEYS FOR TOM MORAN
CONSERVATOR OF CERTAIN ASSETS
OF ACCELERATED BENEFITS AND ITS
AGENTS

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CERTIFICATE OF MAILING

The undersigned certifies that on the 8th day of July, 2004, a true and correct copy of the foregoing Notice of Hearing was sent via first-class mail, postage prepaid, and via Facsimile, to:

Patricia A. Labarthe, Esq.
Oklahoma Department of Securities
First National Center, Suite 860
120 North Robinson
Oklahoma City, OK 73102
Attorney for Plaintiff

Dino E. Viera, Esq.
William H. Whitehill, Jr., Esq.
Lance E. Leffel, Esq.
Fellers, Snider, Blankenship,
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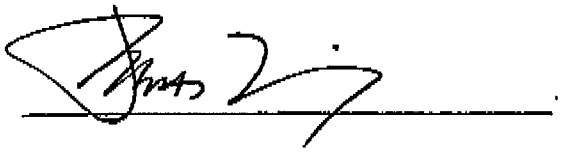
100 North Broadway Avenue, Suite 1700
Oklahoma City, Oklahoma 73102
Attorney for Defendants,
Accelerated Benefits Corporation and
American Title Company of Orlando



JUL. 8. 2004 9:48AM NO. 4431 P. 3/11

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.
JUL - 8 2004
PATRICIA PRESLEY, COURT CLERK
by Deputy

Oklahoma Department of Securities ex rel. Irving L. Faught, Administrator,	)	
Plaintiff,	)	
v.	)	Case No. CJ-99-2500
	)	Judge Daniel L. Owens
Accelerated Benefits Corporation, a Florida corporation, et al.,	)	
Defendants.	)	

MOTION TO SETTLE JOURNAL ENTRY

COMES NOW Tom Moran, conservator of certain assets of Accelerated Benefits Corporation pursuant to the Court's Order dated February 6, 2002 ("Conservator"), and moves the Court to settle the journal entry of judgment relating to the hearing held on July 2, 2004. In support of this motion, Conservator states as follows:

1. Hearing on Conservator's Motion to Enforce Conservatorship Order ("Conservator's Motion") was held on July 2, 2004.

2. Following the hearings, the Court directed that a journal entry be drafted by Conservator's Counsel to reflect the Court's ruling.

3. Conservator's counsel has prepared and circulated a journal entry, which he believes reflect the Court's ruling, to counsel for Plaintiff and Defendants for approval and execution.

4. Counsel for Plaintiff has agreed that the journal entry properly reflects the Court's rulings, but Defendants' counsel has refused to execute the journal entry.

5. An attempt has been made to compromise the dispute, including the deletion of certain language in the order at Defendants' counsel's request, but the parties continue to be unable to agree upon the wording of the journal entry.

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6. A copy of the proposed journal entry is attached hereto for the Court for the Court's review as Exhibits "A."

WHEREFORE, Tom Moran, conservator of certain assets of Accelerated Benefits Corporation pursuant to the Court's Order dated February 6, 2002, respectfully moves the Court to execute the journal entry reflecting the July 2, 2004 hearing on Conservator's Motion to Enforce Conservatorship Order, and set the hearing on this motion on an expedited basis.

Respectfully submitted,

Melvin R. McVay, Jr., OBA No. 6096
Thomas P. Manning, OBA No. 16117
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ATTORNEYS FOR CONSERVATOR,
TOM MORAN

JUL. 8. 2004 9:48AM NO. 4431 P. 5/11

CERTIFICATE OF MAILING

The undersigned certifies that on the 8th day of July, 2004, a true and correct copy of the foregoing document was sent postage prepaid by first-class mail, and via Facsimile, to:

Dino Viera, Esq.
William H. Whitehill, Jr., Esq.
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Attorneys for Defendants

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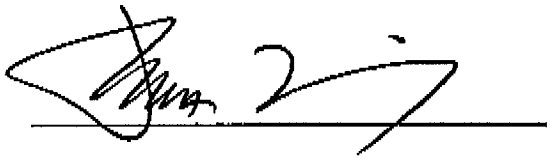
Oklahoma City, OK 73102
Attorney for Plaintiff



JUL. 8. 2004 9:48AM NO. 4431 P. 6/11

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

Oklahoma Department of Securities, ex rel. Irving L. Faught, Administrator,	)	
Plaintiff,	)	
vs.	)	Case No. CJ-99-2500-66 Judge Daniel Owens
Accelerated Benefits Corporation, a Florida corporation, et al.,	)	
Defendants.	)	

ORDER

NOW on this 2nd day of July, 2004, the Conservator's Motion to Enforce Conservatorship Order (the "Conservator's Motion") came on for consideration before the undersigned judge. The Court having reviewed the pleadings, and being fully advised in the premises, finds as follows:

1. Pursuant to the terms of the Order Appointing Conservator and Transferring Assets entered by this Court on February 6, 2002 (the "Conservatorship Order"), and agreed to by Accelerated Benefits Corporation ("ABC") and American Title Company of Orlando ("ATCO"), any right, title or interest previously held by ABC or ATCO in any portion of the viatical policy, or proceeds thereof, issued on or about November 22, 1985, by The Prudential Insurance Company of America ("Prudential"), insuring the life of Jean Marie Akin (the "Akin Policy") have been transferred to the Conservator and neither ABC nor ATCO hold any right, title or interest in the Akin Policy, or proceeds thereof.

2. That the Conservator's Motion should be granted.

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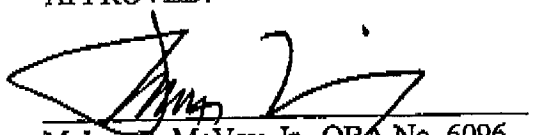
IT IS THEREFORE ORDERED ADJUDGED AND DECREED that the Conservator's Motion is granted in all respects.

Signed this ___ day of July, 2004.

_____
Judge of the District Court

APPROVED:



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ATTORNEYS FOR CONSERVATOR,
TOM MORAN

APPROVED:

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Attorney for Plaintiff

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APPROVED:

_____

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American Title Company of Orlando

JUL. 8. 2004 9:49AM NO. 4431 P. 10/11

CERTIFICATE OF MAILING

The undersigned certifies that on the _____ day of July, 2004, a true and correct copy of the foregoing was mailed via First Class Mail, postage prepaid, to the following:

Patricia A. Labarthe, Esq.
Oklahoma Department of Securities
First National Center, Suite 860
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Attorney for Plaintiff

Dino E. Viera, Esq.
William H. Whitehill, Jr., Esq.
Fellers, Snider, Blankenship,
Bailey & Tippens, P.C.
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American Title Company of Orlando

_____

JUL. 8. 2004 9:49AM NO. 4431 P. 11/11