IN THE CIRCUIT COURT OF THE STATE OF TENNESSEE
FOR THE NINETEENTH JUDICIAL DISTRICT AT MONTGOMERY COUNTY

2008 SEP -9 AM 11:42
CHERRY J. CASTLE
BY: CIRCUIT COURT CLERK

STATE OF TENNESSEE, *ex rel.* ROBERT E. COOPER, JR., Attorney General, Plaintiff,	)	
v.	)	Case No. 50500795
BRITLEE, INC., d/b/a The MILITARY ZONE a/k/a MILITARYZONE.COM and LAPTOYZ COMPUTERS AND ELECTRONICS, STUART L. JORDAN, individually and d/b/a BRITLEE, and MILLENIUM FINANCE, INC., and ROME FINANCE COMPANY, INC., Defendants.	)	Judge Ross Hicks

ORDER REGARDING RULINGS FROM AUGUST 26, 2008 HEARING

Proceedings were initiated on Tuesday, August 26, 2008, in connection with the monetary relief and remedies phase of this civil law enforcement action, including civil penalties, restitution, attorneys' fees, disgorgement of profits and other remedies sought by the State in the State's prayer for relief in the Second Amended Complaint and the State's February 14, 2007 Motion for Sanctions pursuant to Tenn. Code Ann. § 47-18-108(c). At that time, and in response to Rome Finance Company, Inc.'s ("Rome") request, the Court considered additional argument from counsel regarding the nature of the pending proceedings, and in particular, whether such proceedings were civil or criminal in nature. The Court further entertained an oral application from Rome for additional time in which to prepare for the monetary relief and remedies phase of these proceedings.

Upon the Court's review and consideration of the pleadings submitted to date, the record before the Court, arguments of counsel, submissions by the parties and exhibits thereto,

IT IS HEREBY ORDERED AND DECREED that the Court finds that the instant proceedings are civil in nature. All matters which have transpired to date in these proceedings have been civil in nature and the Court finds that criminal standards and proceedings have not been implicated and are not applicable nor warranted in this case.

IT IS FURTHER ORDERED that Rome's oral application for additional time in which to prepare for the monetary relief and remedies phase of these proceedings is GRANTED.

The instant proceedings will be continued to Monday, September 29, 2008, beginning at 9:00 a.m. at which time the Court expects it will issue a final order in this matter as to Rome.

IT IS FURTHER ORDERED that the parties shall exchange proposed findings of fact, conclusions of law and all exhibits to be used at the September 29, 2008 hearing. The State shall submit its findings of facts and conclusions of law, as well as any other exhibits that were not previously identified and produced, to Rome on or before September 22, 2008. Rome shall submit to the State its findings of fact, conclusions of law and all exhibits it plans to use at the September 29, 2008 hearing on or before September 25, 2008.

IT IS FURTHER ORDERED that to the extent that Rome has represented on the record that Rome employee Guy Van Pool is available for deposition by the State on either September 8, 10 or 12, 2008, Rome shall make Mr. Van Pool available for deposition in Georgia on one or

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more of those days, to be selected by the State. The State may conduct this deposition without going through the formal commissioning process.

IT IS SO ORDERED AND DECREED.

9/9/08

Judge Ross H. Hicks

SUBMITTED FOR APPROVAL:

OFFICE OF THE ATTORNEY GENERAL

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CERTIFICATE OF SERVICE

I, OLHA N.M. RYBAKOFF, Assistant Attorney General, hereby certify that a true and correct copy of the ORDER REGARDING RULINGS FROM AUGUST 26, 2008 HEARING, was served upon the below counsel on SEPTEMBER 8, 2008 by electronic mail and by placing a copy thereof in the United States First Class Mail, postage prepaid, addressed as follows:

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