

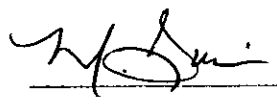
FILED

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IN THE CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
TWENTIETH JUDICIAL DISTRICT AT NASHVILLE

2009 AUG 31 AM 10:41

RICHARD B. BOCKER, CLERK

STATE OF TENNESSEE, *ex rel.*)
ROBERT E. COOPER, JR., ATTORNEY)
GENERAL and REPORTER,)
)
Plaintiff,)
)
v.)
)
MICHAEL H. SNEED,)
)
Defendant.)

 D.C.

Case No. 09C2025

**ORDER IDENTIFYING ATTORNEYS SELECTED AS RECEIVER UNDER THE
AGREED ORDER FOR STATUTORY TEMPORARY INJUNCTION, SETTING A
DATE FOR PRODUCTION OF THE FILES BY THE DEFENDANT AND
AUTHORISING THE STATE ACCESS TO THE FILES**

This matter was scheduled to be heard before the Honorable Judge Joseph P. Binkley, Jr. on Friday, August 21, 2009, in connection with plaintiff, State of Tennessee's Motion for an Order identifying attorneys selected as receiver under the agreed order for statutory temporary injunction, setting a date for production of the client files by the Defendant and authorizing the State access to the client files ("State's Motion"). Defendant Michael H. Sneed failed to file a responsive pleading to the State's Motion as required by local rule. As a result, the State's Motion is hereby GRANTED in its entirety.

Upon review and consideration of the pleadings and submissions thereto, **IT IS HEREBY ORDERED ADJUDGED AND DECREED** as follows:

APPOINTMENT OF ATTORNEYS

1. The following three (3) attorneys have agreed to be appointed by the Court:

Joseph Davidow (BPR # 027176)
501 Union Street, Ste. 501
Nashville, TN 37201
(615) 256-3605

Ana Escobar (BPR # 017349)
414 Union Street, Ste. 905
Nashville, TN 37219
(615) 346-2213

Jonathan Williams (BPR # 027625)
P.O. Box 160659
Nashville, TN 37261
(615) 636-6653

2. The three attorneys listed above are appointed to receive and take custody of the files of former clients of Michael H. Sneed as described in the Court's Agreed Order for Statutory Temporary Injunction entered on July 17, 2009.

SNEED ORDERED TO DELIVER FILES

3. Defendant Michael E. Sneed is hereby ordered to personally hand deliver the files directly to an investigator employed by the Office of the Tennessee Attorney General at 425 Fifth Avenue North, Nashville, TN 37243, no later than close of business on the fifth business day after the entry of this Order or at such other date and time that the parties set by agreement.

STATE ACCESS TO FILES

4. After receiving the files, the State's investigator will equally divide the files and deliver them to the appointed receivers.
5. The receivers, at his or her discretion, are authorized to allow the representatives of the State of Tennessee to review, copy and inspect the client files assigned to that particular receiver. Further, the State is authorized to contact the consumers/clients, if it deems it appropriate. The Defendant has waived any objections to such conduct by the State.

6. Nothing in this order alters the protection provided these files as set forth in the Agreed Order entered on July 17, 2009.

PRIOR INJUNCTION IN FULL FORCE

7. The original injunction set forth in the Agreed Order dated July 17, 2009 shall remain in place.

PENALTIES FOR FAILURE TO COMPLY

8. This is an Order issued pursuant to Tenn. Code Ann. §§ 23-3-103(c)(3), 47-18-108(a)(1) and (a)(4).
9. Any failure by the Defendant to comply with the terms of this Order and the prior Order may be a *prima facie* evidence of a violation of the Tennessee Consumer Protection Act of 1977. Further, Defendant may be subject to civil penalties pursuant to the Tennessee Consumer Protection Act and any other sanctions or remedies available at law.
10. Pursuant to the provisions of the Tennessee Consumer Protection Act, Tenn. Code Ann. § 47-18-108(c), any knowing violation of the terms of this Order shall be punishable by civil penalties of not more than Two Thousand Dollars (\$2,000.00) for each violation, in addition to any other appropriate sanctions including but not limited to contempt sanctions and the imposition of attorneys' fees and civil penalties.
11. Pursuant to the provisions of the Tennessee unauthorized practice of law statutes, Tenn. Code Ann. § 23-3-103(c)(1), any knowing violation of the terms of this Order shall be punishable by civil penalties of not more than Ten Thousand Dollars (\$10,000.00) for each violation, in addition to any other appropriate sanctions including but not limited to contempt sanctions and the imposition of attorneys' fees and civil penalties.

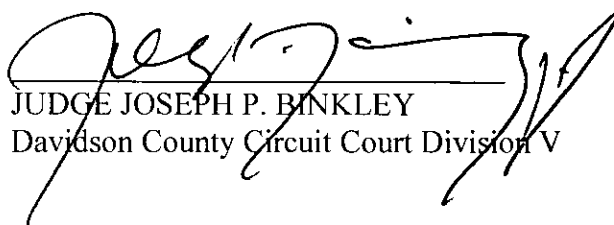
ATTORNEYS' FEES

12. Pursuant to Tenn. Code Ann. §§ 47-18-108(b)(4) and 23-3-103(c)(1), payment of the State of Tennessee's attorneys' fees and costs associated with the State's Motion and civil penalties and other statutory sanctions, remedies or penalties are hereby expressly reserved until an Agreed Final Order is entered or final hearing.

COURT COSTS

13. Defendant is ordered to pay all court costs and for which execution may issue. Further, no costs shall be taxed against the State as provided by Tenn. Code Ann. § 47-18-116.

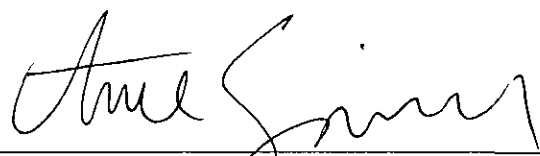
IT IS SO ORDERED, ADJUDGED AND DECREED, this ____ day of _____, 2009.



JUDGE JOSEPH P. BINKLEY
Davidson County Circuit Court Division V

SUBMITTED BY:

ROBERT E. COOPER, JR.
Attorney General and Reporter
B.P.R. No. 010934



ANNE SIMMONS

Assistant Attorney General
B.P.R. No. 026272
C. SCOTT JACKSON
Senior Counsel
B.P.R. No. 011005
Office of the Tennessee Attorney General
Consumer Advocate & Protection Division
Post Office Box 20207
Nashville, TN 37202-0207
Telephone: (615) 741-4657
Facsimile: (615) 532-2910

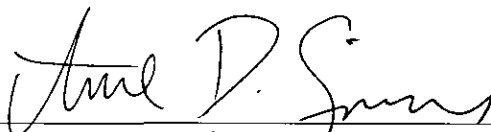
Attorneys for the Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Document Filing has been forwarded via U.S. mail, postage prepaid, to:

Michael Sneed
3141 Kinwood Dr.
Antioch, TN 37013-1347

on this the 21 day of August, 2009.


ANNE D. SIMMONS
Assistant Attorney General