

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

H. THAYNE DAVIS, :
 :
 Plaintiff, :
 : Case No: 3:04CV059
 v. :
 : Magistrate Judge Sharon L. Ovington
 LIFETIME CAPITAL, INC., et al., : (By Consent of the Parties)
 :
 Defendants. :

ORDER

Pursuant to the telephone conference held on April 12, 2006, the Court hereby

ORDERS that:

1. The fairness hearing previously set to occur on April 20, 2006 at 9:30 a.m., with an alternate backup date of April 21, 2006, is CONTINUED and will occur **on May 9, 2006 at 9:30 a.m.** in Courtroom #5, United States Federal Building, 200 West Second Street, Dayton, Ohio 45402.
2. During or following the fairness hearing **on May 9, 2006**, the Court will also conduct a hearing regarding whether the parties' proposed purchase agreement should be approved.

April 12, 2006

s/ Sharon L. Ovington
Sharon L. Ovington
United States Magistrate Judge