

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

**H. THAYNE DAVIS**  
15616 Sugar Loaf Drive  
Edmond, Oklahoma 73013

Plaintiff,

v.

**LIFETIME CAPITAL, INC.**  
Post Office Box 427  
Miamisburg, Ohio 45343-0427

Defendant.

: Case No: 3:04 cv 0059  
:  
: Judge Walter H. Rice  
: U.S. Magistrate Judge Sharon L. Ovington  
: (By consent of the parties)

**ORDER APPOINTING ASSISTANT  
RECEIVER**

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COMES ON for consideration by the Court the Receiver's Application to Appoint Assistant Receiver. The Court, having reviewed the Application and being fully advised in the premises, finds that for good cause shown the Application should be granted.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that Sheri Townsend be, and is hereby, appointed Assistant Receiver for the Receivership Assets of LifeTime Capital, Inc., as such Receivership Assets may be defined or described by orders of this Court from time to time.

Sheri Townsend, in her capacity as Assistant Receiver, in the absence or extended unavailability of H. Thomas Moran II, as Receiver for LifeTime Capital, Inc., is hereby authorized to make advances on any financing arrangement that the Receiver may enter into from time to time with the approval of the Court in order to ensure that premiums and extraordinary costs and expenses of the receivership estate are timely paid. Ms. Townsend, as the Assistant Receiver, may also, in the absence or extended unavailability of the Receiver, either

take or respond to any requests for extraordinary relief that may be made in this proceeding or in any other judicial or administrative proceeding initiated by the Receiver pursuant to the authority granted to the Receiver by this Court.

The Assistant Receiver may also assist the Receiver in the day-to-day performance of the Receiver's duties and responsibilities as he may be charged with by this Court from time to time during the course of this proceeding.

s/ Sharon L. Ovington  
SHARON L. OVINGTON  
UNITED STATES MAGISTRATE JUDGE

March 16, 2004