

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

H. THAYNE DAVIS	:	Case No: 3:04cv0059
Plaintiff,	:	Magistrate Judge Sharon L. Ovington (By Consent of the Parties)
v.	:	
LIFETIME CAPITAL, INC.	:	
Defendant.	:	
	:	

ORDER APPOINTING ANDREW C. STORAR AS EXAMINER

COMES ON for consideration by the Court the Receiver's Application to Appoint Andrew C. Storar as Examiner in this receivership proceeding (Doc. #28). The Court, having reviewed the Application and being fully advised in the premises, finds that it would be in the best interests of the receivership estate and the approximately 4,000 investors of LifeTime Capital, Inc. that the Application be granted.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that Andrew C. Storar, of the firm Pickrel Schaeffer and Ebeling, LPA, 2700 Kettering Tower, Dayton Ohio, 45423, (937) 223-1130, fax: (937) 223-0339, email: astorar@pselaw.com, is hereby appointed as Examiner for purposes of this receivership proceeding.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that as Examiner, Mr. Storar shall monitor all activities during the course of this receivership proceeding on behalf of LifeTime Capital, Inc.'s investors, and shall from time to time, either *sua sponte* or at the request of the Court, file such reports or responses to pleadings as the Court or the Examiner deems appropriate.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Mr. Storar, in his capacity as Examiner, shall serve as a liaison between all LifeTime investors who are unrepresented by legal counsel and the Receiver. Provided, nothing in this Order shall be deemed to preclude any LifeTime investor from retaining counsel of his, her or its own choosing.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Mr. Storar will be compensated for his services provided in the capacity of Examiner out of the Receivership Assets in accordance with the same procedures which may be approved and implemented by this Court from time to time during the course of this proceeding.

June 15, 2004

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