

IN THE COURT OF COMMON PLEAS OF FRANKLIN COUNTY
COLUMBUS, OHIO
CIVIL DIVISION

Ann H. Womer Benjamin, Superintendent,
Ohio Department of Insurance, in her
capacity as Rehabilitator of Builders &
Contractors Employee Benefit Association
Trust,

Plaintiff,

v.

Builders & Contractors Employee Benefit
Association Trust,

Defendant.

Case No. 02CVH02-2010

Judge Schneider

ORDER

This Court is assigned this Rehabilitation case and also a related litigation captioned
Womer Benjamin v. A Day in the Country, Case No. 03 CVH 09-10020 (the "Litigation").
Following the May 19, 2005 entry of this Court's decision on several summary judgment
motions filed in the Litigation, the Court requested that the Rehabilitator prepare an
Amended Rehabilitation Plan that would provide some opportunity for those members who
are defendants in the Litigation to obtain a complete settlement of all current and future
liability to Builders and Contractors Employee Benefit Association Trust.

On October 17, 2005, the plaintiff in the Litigation filed a Motion to Stay Discovery.
In that Motion, the plaintiff indicated that she would file an Amended Plan for
Rehabilitation within 30 days.

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On November 17, 2005, the plaintiff in the Litigation filed a Motion to Reconsider the Court's denial of a Motion to Stay Discovery. In that motion, the plaintiff again indicated that an Amended Rehabilitation Plan would be filed within 30 days.

To date, no Amended Rehabilitation Plan has been filed with the Court.

The Rehabilitator shall file, no later than January 19, 2006, an Amended Rehabilitation Plan.

IT IS SO ORDERED.

JUDGE CHARLES A. SCHNEIDER