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Dav. Co. Chancery Court

**IN THE CHANCERY COURT OF THE STATE OF TENNESSEE
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY**

LESLIE A. NEWMAN,)
Commissioner of the Tennessee)
Department of Commerce and Insurance,)
Petitioner,)
v.)
NATIONAL FOUNDATION OF)
AMERICA, a Tennessee corporation,)
RICHARD K. OLIVE, an individual,)
SUSAN L. OLIVE, an individual,)
BREANNA MCINTYRE, an individual,)
THEODORE S. LITTLE, an individual,)
HUNTER DANIEL, an individual,)
Respondents.)

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No. 07-1163-IV

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ORDER TO OPEN AND REDACT SPECIFIC RECORDS IN THIS CASE

Commissioner Leslie A. Newman, in her capacity as Liquidator of National Foundation of America ("NFOA"), has moved this Court to lift the seal on specific documents previously filed with this Court, allow redaction of personal identifying information contained in the opened records and to provide that, with specific exceptions, all future pleadings filed with this Court shall not be held under seal unless further orders are entered by this Court. There has been no filing of opposition to this motion pursuant to Rule 26.04 (c) and (d), Local Rules of Practice.

The Court finds that interests of the creditors of NFOA and the public generally are served by unsealing the documents contained in the Court's file, including filings made under Tenn. Code Ann. § 56-9-201, with two specific exceptions as follows: (a) detailed descriptions and invoices of the Special Deputy Receiver ("SDR"), outside counsel and/or any third party litigation support contractors; and (b) detailed addresses of hundreds of individuals who were issued illegal annuity contracts by NFOA.


Accordingly, the instant Motion is hereby APPROVED and the Court hereby ORDERS the following:

All previous filings in this case, including filings made under Tenn. Code Ann. § 56-9-201, shall be unsealed, with two specific exceptions as follows: (a) detailed descriptions and invoices of the Special Deputy Receiver (“SDR”), outside counsel and/or any third party litigation support contractors; and (b) detailed addresses of hundreds of individuals who were issued illegal annuity contracts by NFOA. As to these two categories of filings, the prior Orders entered by this Court on July 24, 2007 and August 27, 2007 remain in force, and all such filings shall remain sealed.

The Commissioner may submit redacted exhibits to previous filings made by the Commissioner to omit personal identifying information such as the name, address, and social security number of NFOA contract holders. These redacted exhibits shall be substituted in the public court file.

All other future filings with the exception of filings which were the subject of the Court’s prior Orders entered on July 24, 2007 and August 27, 2007, shall not be held under seal without further Order of this Court.

It is so ORDERED, this the _____ day of _____, 2007.


CHANCELLOR RICHARD H. DINKINS