

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

Oklahoma Department of Securities,)
ex rel. Irving L. Faught, Administrator,)
)
Plaintiff,)
)
vs.)
)
Accelerated Benefits Corporation, a Florida)
corporation, et al.,)
)
Defendants.)

Case No. CJ-99-2500-66
Judge Dan ~~FILED~~ IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

AUG - 1 2006

PATRICIA PRESLEY, COURT CLERK
by _____ DEPUTY

ORDER

NOW on this 1st of August, 2006, the Unopposed Motion of the Conservator for Extension of Time to Respond to Texas Life Insurance Company's Motion for Leave to Sue Conservator and Motion to Continue Hearing Date (the "Motion") came on for consideration before the undersigned Judge. Upon representation of counsel for the Conservator, counsel for Texas Life has been contacted and does not object to: (1) an extension of time of fourteen (14) days, until August 21, 2006, for the Conservator to file his Response Texas Life's Motion for Leave to Sue Conservator; and (2) a continuance of the August 18, 2006 hearing date for an additional fourteen (14) days, until September 1, 2006, or until the motion docket next following September 1, 2006.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED :

1. Conservator's Unopposed Motion for Extension of time to Respond to Texas Life Insurance Company's Motion for Leave to Sue Conservator is granted. The Conservator must file a response to Texas Life's Motion for Leave on or before August 21, 2006.

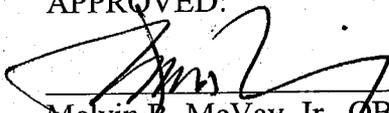
2. The hearing on Texas Life's Motion is continued from August 18, 2006, to September 1, 2006.

DATED THIS 1st DAY OF AUGUST, 2006.

DANIEL L. OWENS

DANIEL L. OWENS
Judge of the District Court

APPROVED:



Melvin R. McVay, Jr., OBA No. 6096
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ATTORNEYS FOR CONSERVATOR,
TOM MORAN

CERTIFICATE OF MAILING

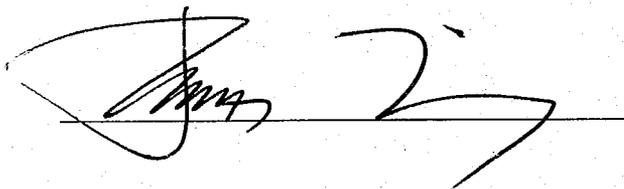
The undersigned certifies that on the 1st day of August, 2006, a true and correct copy of the foregoing was mailed via First- Class Mail, postage prepaid, to the following:

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A handwritten signature in black ink, appearing to be "James J.", written over a horizontal line.

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

IN THE DISTRICT COURT OF OKLAHOMA COUNTY - 1 2006

STATE OF OKLAHOMA

PATRICIA PRESLEY, COURT CLERK
by _____

Deputy

Oklahoma Department of Securities,)
ex rel. Irving L. Faught, Administrator,)

Plaintiff,)

vs.)

Accelerated Benefits Corporation, a Florida)
corporation, et al.,)

Defendants.)

Case No. CJ-99-2500
Judge Daniel L. Owens

**UNOPPOSED MOTION OF THE CONSERVATOR FOR
EXTENSION OF TIME TO RESPOND TO TEXAS LIFE
INSURANCE COMPANY'S MOTION FOR LEAVE TO SUE
CONSERVATOR AND MOTION TO CONTINUE HEARING DATE**

The Conservator, H. Thomas Moran II, (the "Conservator") hereby respectfully moves this Court: (1) for an extension of time to respond to Texas Life Insurance Company's ("Texas Life") motion for leave to sue Conservator ("Motion"), and (2) to continue the hearing date on Texas Life's Motion. In support thereof, the Conservator would show the Court as follows:

1. Texas Life filed its Motion on July 18, 2006 and served the motion by mail.
2. In the absence of an extension of time, the Conservator's response would be due on August 7, 2006.
3. The Conservator requests an extension of time of fourteen (14) days, or until August 21, 2006 to respond to Texas Life's Motion.
4. Prior to filing its Motion before the Court, Texas Life, on December 5, 2006, filed an action against the Conservator in the United States District Court for the Middle District of

Georgia, Athens Division, 3:05-cv-112,¹ seeking to rescind a life insurance policy it issued to Frank English in 1995. Mr. English sold the policy to Accelerated Benefits Corporation ("ABC") in 1997 – over two years after Texas Life issued the policy. The policy at issue is among those over which the Conservator exercises control on behalf of the Court pursuant to the Court's February 6, 2002 Conservatorship Order. Therefore, Texas Life's federal suit seeks to void the existence of a Conservatorship Asset.

5. On May 30, 2006, the Conservator filed a motion to dismiss Texas Life's rescission action based on several grounds including that Texas Life had failed to obtain this Court's permission to sue the Conservator in a foreign jurisdiction. Texas Life filed a response to the Conservator's motion to dismiss on July 24, 2006. Although Texas Life argues in its response to the Conservator's motion to dismiss that it was not required to seek this Court's permission to sue the Conservator in a federal court in Georgia, Texas Life has also requested that this Court permit it to sue the Conservator in a foreign jurisdiction.

6. The Conservator believes that it is both expedient and most economically feasible to coordinate his reply to Texas Life's response to his motion to dismiss and his response to Texas Life's Motion filed in this Court as many of the same issues are relevant to both proceedings.

7. Therefore, counsel for the Conservator has moved the federal court for a two-week extension of time in which to file a reply to Texas Life's response to motion to dismiss. Likewise, counsel for the Conservator requests the same two week extension of time from this Court to respond

¹ Texas Life filed an amended complaint on April 20, 2006.

to Texas Life's Motion.

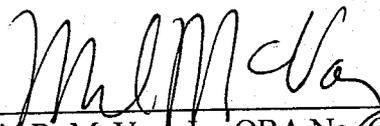
8. The Conservator has not previously moved for an extension of time, and the Conservator's request is not made for the purpose of delay.

9. Because the Court has already set Texas Life's Motion for hearing on August 18, 2006, the requested extension of time will impact the scheduled hearing date. The Conservator therefore further moves the Court to continue the August 18, 2006 hearing for an additional fourteen (14) days, or until September 1, 2006 or until the motion docket next following September 1, 2006.

10. The Conservator's counsel has contacted counsel for Texas Life both in Georgia and in Oklahoma who have no objection to the Conservator's request for an extension of time to respond to Texas Life's Motion or to the Conservator's motion to continue the August 18, 2006 hearing date.

WHEREFORE, premises considered, the Conservator, Tom Moran, prays this Court grant his Motion for Extension of Time to Respond to Texas Life Insurance Company's Motion for Leave to Sue Conservator and Motion to Continue Hearing Date. The Conservator further prays for such other relief as the Court deems just and proper.

Respectfully submitted,


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ATTORNEYS FOR CONSERVATOR,
H. THOMAS MORAN II

CERTIFICATE OF MAILING

The undersigned certifies that on the 1st day of August, 2006, a true and correct copy of the foregoing was mailed via First Class Mail, postage prepaid, to the following:

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