

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE (AT MEMPHIS)**

REGIONS BANK,)	
as Indenture Trustee,)	
)	
Plaintiff,)	
)	
v.)	Case No. 06-cv-2239-JPM
)	
CME-CORNERS, INC., and)	
THE HEALTH, EDUCATIONAL AND)	
HOUSING FACILITY BOARD OF THE)	
COUNTY OF SHELBY, TENNESSEE,)	
)	
Defendants.)	

**ORDER DISMISSING CASE PURSUANT TO RULE 66
OF THE FEDERAL RULES OF CIVIL PROCEDURE**

THIS MATTER having come before the Court on the Plaintiff's Motion and Memorandum of Law to Dismiss Case (the "Motion"); it appearing that good and sufficient notice having been given and no further notice is required; the Court having given all parties affected by the relief requested in the Motion an opportunity to express their view at a hearing on February 16, 2007; and the Court, having considered the matter, considered the evidence presented, and for other good cause appearing, **HEREBY ORDERS:**

1. The Motion is granted and this case (the "Case") is dismissed; *provided, however,* that any prior orders of this Court entered in this case shall remain in full force and effect.
2. The injunction bond, posted by check in the amount of \$1,000 by the Plaintiff (as reflected by Docket Entry No. 23 in this Case) shall be returned immediately to the Plaintiff at the following address: Regions Bank, Corporate Trust Department (Attn: Susan K. Baker), 315 Deaderick Street, 2nd Floor, Nashville, Tennessee 37237.

3. Neither the Trustee, nor their present or former directors, officers, employees, subsidiaries, affiliates, agents, professionals, attorneys and representatives (the “Exculpated Parties”) shall have or incur any liability to any holder of a claim against the receivership estate for any act or omission in connection with, related to, or arising out of, commencement of the Case, the Case, the receivership, or the administration of the Case or the receivership estate, except for fraud, willful misconduct, gross negligence, criminal conduct, misuse of confidential information that causes damages, or ultra vires acts. This exculpation shall be in addition to any other protections afforded any of the parties in this Case under this or any other order of this Court.

4. The Court shall retain jurisdiction with respect to any matter, issue, claim, or controversy arising out of or resulting from the Case, the receivership, or administration of the Case or the receivership estate.

5. Upon entry of this Order, this Order shall be considered to be a “final order” of this Court and shall be subject to appeal. Failure to appeal this Order within the time allowed by the Federal Rules of Civil Procedure or Federal Rules of Appellate Procedure shall bar any party from any relief under those particular provisions of such Rules applicable to appeals.

6. The requirements of Rule LR7.2 of the Local Rules of the United States District Court for the Western District of Tennessee are deemed to have been satisfied.

ENTERED this 1st day of March, 2007.

/s/ Jon P. McCalla
JON PHIPPS McCALLA
UNITED STATES DISTRICT JUDGE

Submitted for entry by:

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By: /s/Robert J. Welhoelter

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