

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

FILED
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CHLORA A. LINDLEY-MYERS,)
SPECIAL DEPUTY COMMISSIONER OF)
COMMERCE AND INSURANCE FOR)
THE STATE OF TENNESSEE,)

Petitioner,)

v.)

No. 10-507-III

SMART DATA SOLUTIONS, LLC)
a Tennessee limited liability company,)
AMERICAN TRADE ASSOCIATION,)
INC, an Indiana nonprofit corporation with)
its principal place of business in Tennessee,)
AMERICAN TRADE ASSOCIATION,)
LLC, an Arkansas limited liability company,)
SERVE AMERICA ASSURANCE,)
a corporation with an unknown location,)
BART S. POSEY SR., ANGIE POSEY)
OBED W. KIRKPATRICK, RICHARD)
H. BACHMAN, WILLIAM M. WORTHY)
and COLIN YOEUELL,)

Respondents.)

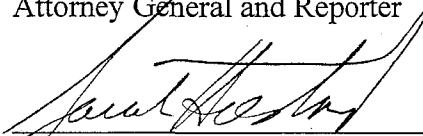
NOTICE OF FILING ORDER OF APPOINTMENT FOR
CHLORA A. LINDLEY-MYERS AS SPECIAL DEPUTY COMMISSIONER,
PETITIONER AND STATUTORY LIQUIDATOR

Notice is hereby given of filing the attached copy of the Order of Appointment and Oath appointing Chlora A. Lindley-Myers, currently Insurance Process and Implementation Director, Department of Commerce and Insurance, to act as the Special Deputy Commissioner to act for all purposes as the Petitioner, Statutory Liquidator, and Commissioner in this matter, and to replace Marie Murphy who has been serving in this office, effective February 3, 2012. Pursuant to Rule of Professional Conduct 1.11,

Commissioner Julie Mix McPeak, the successor to original petitioner Leslie A. Newman, has had and will have no involvement in this case or the consideration of this matter. Special Deputy Liquidator Paul Eggers continues in his role as Special Deputy Liquidator. The form of the revised caption of this matter is proposed as above.

Respectfully submitted,

ROBERT E. COOPER, JR. (BPR 10934)
Attorney General and Reporter



SARAH A. HIESTAND (BPR 14217)
Senior Counsel, Financial Division
(615) 741-6035

LYNDSAY F. SANDERS (BPR 22849)
Senior Counsel,
Law Enf. & Special Prosecutions Division
Office of the Attorney General
P.O. Box 20207
Nashville, Tennessee 37202-0207
Attorneys for Petitioner,
Chlora A. Lindley-Myers, Special Deputy
Commissioner, Tennessee Department of
Commerce and Insurance

CERTIFICATE OF SERVICE

I hereby certify this the 6th day of February, 2012, that a true and exact copy of the foregoing has been served by U.S. mail, postage pre-paid, and/or via email as indicated, to the parties and interested entities listed on the attached service list.

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Respondent Serve America Assurance, Ltd.:

Serve America Assurance, Ltd. Company
117 Winding Oak Way
Blythewood, South Carolina 29016

Serve America Assurance, Ltd.
c/o Beema Pakistan Company, Ltd.
M. Shahnawaz Agha, Chairman
(Mail refused and/or unable to be delivered to:
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Karachi-74000, Pakistan)

Email only to: shahnawazagha@yahoo.com

Individual Respondent:

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Richard H. Bachman
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West Palm Beach, FL 33401

(Unknown, not able to deliver to this address)



SARAH A. HIESTAND

**BEFORE THE COMMISSIONER OF COMMERCE AND INSURANCE FOR THE
STATE OF TENNESSEE
AT NASHVILLE**

IN THE MATTER OF)
)
SMART DATA SOLUTIONS,)
AMERICAN TRADE ASSOCIATION, INC.,)
AMERICAN TRADE ASSOCIATION LLC.,)
SERVE AMERICA ASSURANCE,)
BART S. POSEY, SR.,)
ANGIE POSEY,)
OBED W. KIRKPATRICK, SR.,)
LINDA KIRKPATRICK,)
RICHARD H. BACHMAN)
WILLIAM M. WORTHY, II,)
COLIN YOEUELL)

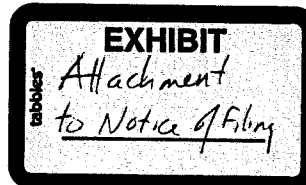
ORDER OF APPOINTMENT

This **Order** issues pursuant to the authority granted to the Commissioner of Commerce and Insurance (hereinafter referred to as Commissioner) under the provisions of T.C.A. § 56-1-206 wherein the Commissioner is "empowered, with the consent of the governor, to appoint special deputy commissioners for the better enforcement, and to apprehend all persons found in violation, of the insurance laws of this state" and to delegate the powers to exercise her authority under any part of the Insurance law, including all the powers and responsibilities of the Commissioner granted by the Insurers Rehabilitation and Liquidation Act, T.C.A. §§ 56-9-101 et. seq.

NOW, THEREFORE, in light of the foregoing, it is hereby **ORDERED** that Chlora A. Lindley-Myers, Insurance Process and Implementation Director, is appointed Special Deputy Commissioner for the purpose of acting as the Commissioner and statutory Liquidator in the above-styled matter and to serve as Special Deputy Commissioner regarding any other matters involving any of the respondents to the above-styled matter effective February 3, 2012. Chlora A. Lindley-Myers is specifically clothed with, and without limitation, the powers to act for and in my place and to carry out the orders of the court entered in the receivership proceedings relating to the above named entities, pursuant to the Tennessee Insurers Rehabilitation and Liquidation Act, Title 56, Chapter 9.

It is further **ORDERED** that Chlora A. Lindley-Myers as Special Deputy Commissioner shall:

1. act as the Petitioner and statutory Liquidator for the liquidation order entered in the proceeding styled **COMMISSIONER OF COMMERCE AND INSURANCE FOR THE STATE OF TENNESSEE**, Petitioner, v. **SMART DATA SOLUTIONS, LLC**, a Tennessee limited liability company, **AMERICAN TRADE ASSOCIATION, INC.**, an Indiana nonprofit corporation with its principal place of

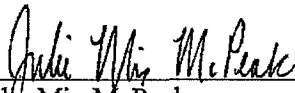


business in Tennessee, **AMERICAN TRADE ASSOCIATION, LLC**, an Arkansas limited liability company, **SERVE AMERICA ASSURANCE**, a corporation with an unknown location, **BART S. POSEY, SR.**, an individual, **ANGIE POSEY**, an individual, **OBED W. KIRKPATRICK, SR.**, an individual, **LINDA KIRKPATRICK**, an individual, **RICHARD H. BACHMAN**, an individual, **WILLIAM M. WORTHY, II**, an individual, **COLIN YOEUELL**, an individual, Respondents, Davidson Chancery Court, Docket No. 10-507-III¹;

2. supervise the Special Deputies and Special Counsel employed pursuant to T.C.A. § 56-9-310 to assist with this matter;
3. serve at the pleasure of the Governor.


It is further **ORDERED**, pursuant to T.C.A. §56-1-206(c), that Chlora A. Lindley-Myers will receive no additional compensation for the performance of these duties.

ENTERED and effective this 3^d day of February, 2012.



Julie Mix McPeak
Commissioner
Department of Commerce and Insurance

APPROVED



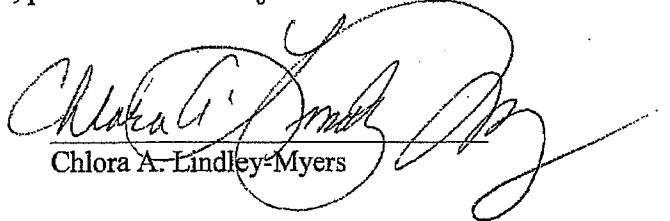
Bill Haslam, Governor

¹ This case was previously styled **LESLIE A. NEWMAN**, Commissioner of Commerce and Insurance for the State of Tennessee, Petitioner, v. **SMART DATA SOLUTIONS, LLC**, a Tennessee limited liability company, **AMERICAN TRADE ASSOCIATION, INC.**, an Indiana nonprofit corporation with its principal place of business in Tennessee, **AMERICAN TRADE ASSOCIATION, LLC**, an Arkansas limited liability company, **SERVE AMERICA ASSURANCE**, a corporation with an unknown location, **BART S. POSEY, SR.**, an individual, **ANGIE POSEY**, an individual, **OBED W. KIRKPATRICK, SR.**, an individual, **LINDA KIRKPATRICK**, an individual, **RICHARD H. BACHMAN**, an individual, **WILLIAM M. WORTHY, II**, an individual, **COLIN YOEUELL**, an individual, Respondents, Docket No. 10-507-III. Effective January 2, 2011, this case was styled **MARIE MURPHY**, Special Deputy Commissioner of Commerce and Insurance for the State of Tennessee, Petitioner, v. **SMART DATA SOLUTIONS, LLC**, a Tennessee limited liability company, et al. Henceforth, this case will be styled **CHLORA A. LINDLEY-MYERS**, Special Deputy Commissioner of Commerce and Insurance for the State of Tennessee, Petitioner, v. **SMART DATA SOLUTIONS, LLC**, a Tennessee limited liability company, et al.

IN THE MATTER OF)
)
SMART DATA SOLUTIONS,)
AMERICAN TRADE ASSOCIATION, INC.,)
AMERICAN TRADE ASSOCIATION LLC.,)
SERVE AMERICA ASSURANCE,)
BART S. POSEY, SR.,)
ANGIE POSEY,)
OBED W. KIRKPATRICK, SR.,)
LINDA KIRKPATRICK,)
RICHARD H. BACHMAN)
WILLIAM M. WORTHY, II,)
COLIN YUELL.)

OATH OF SPECIAL DEPUTY COMMISSIONER

I, Chlora A. Lindley-Myers, do hereby swear or affirm that I will perform with fidelity the duties of the Special Deputy Commissioner for the above-styled matter to which I have been appointed by Commissioner McPeak by Order of Appointment entered on February 3, 2012, approved by Governor Haslam, pursuant to T.C.A. § 56-1-206 and which I am about to assume.


Chlora A. Lindley-Myers

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Sworn to and subscribed before me, a duly appointed Notary Public for the said County and State, this the 3rd day of February, 2012.

My commission expires: January 6, 2014

Kira Burnett
NOTARY PUBLIC
