

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JOSEPH MICHAEL KISH,

Plaintiff,

VS.

DAVID A. ROGERS, *et al.*,

Defendants.

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CIVIL ACTION NO. H-06-2389

ORDER APPOINTING RANDY WILLIAMS AS RECEIVER

The United States’s motion for an order appointing Randy Williams as receiver to sell Joseph Kish’s interest in the royalty contract with Research Mannikins, Inc. is granted.

Randy Williams is appointed as receiver to arrange for and sell Kish’s interest in the royalty contract with Research Mannikins, Inc., pursuant to 26 U.S.C. §§ 7402(a), 7403(d). No bond is required to be posted by Randy Williams. The receiver is directed to arrange for the sale of Kish’s interest in the royalty contract with Research Mannikins, Inc. in a timely manner.

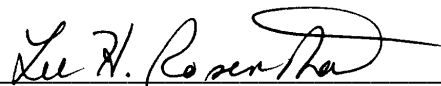
The receiver has the authority to arrange for the sale of Kish’s interest in the royalty contract with Research Mannikins, Inc. subject to confirmation by this court, in any manner approved by the United States. The terms of any purchase agreement must include the balance of the purchase price paid in cash at closing and may include an earnest money deposit, in an amount to be approved by the United States, forfeitable on the purchaser’s failure to perform. The closing may not occur until after the sale has been confirmed by

order of this court. At closing, the purchaser or purchasers will receive the appropriate transfer documents for the royalty contract interest executed by the receiver. In the event a closing takes place before this court entering an order distributing the proceeds, the receiver will hold the proceeds of any sales of the property, net of any closing costs, including any earnest money deposits, until this court enters an order on the distribution of those proceeds.

The receiver will have the rights and powers necessary to arrange for the sale of Kish's interest in the royalty contract with Research Mannikins, Inc. In executing his powers, the receiver may make expenditures that are first approved by the United States.

The receiver will be compensated from the proceeds of the sale of Kish's interest in the royalty contract with Research Mannikins, Inc. (a) in an amount equal to five (5) percent of the gross sale proceeds and (b) for its reasonable and necessary expenditures to promote and arrange for the sale of Kish's interest in the royalty contract with Research Mannikins, Inc. that were first approved by the United States.

SIGNED on July 1, 2008, at Houston, Texas.



Lee H. Rosenthal
United States District Judge