

WISCONSIN DEPARTMENT OF
FINANCIAL INSTITUTIONS,

Plaintiff,

vs.

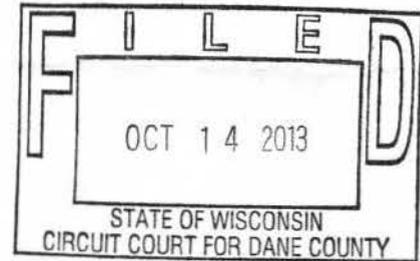
Case No. 12-CX-44-A

WISCONSIN FUNERAL DIRECTORS
ASSOCIATION, INC.

and

FIDUCIARY PARTNERS, INC., as Trustee
for the WISCONSIN FUNERAL TRUST,

Defendants.



ORDER DIRECTING THE INVESTMENT OF THE TRUST'S ASSETS AND
APPROVING AN INTERIM INVESTMENT POLICY

Pursuant to the Motion by the Receiver for an Order Directing the Investment of the Trust's Assets and the Motion by the Receiver for an Order Approving an Interim Investment Policy (collectively, the "Motions"), and having found that proper notice of the Motions has been given, and having heard from counsel at hearings before the Court on September 6, 2013 and October 14, 2013, and for the reasons set forth on the record of such hearing,

THE COURT ORDERS:

1. The Trust that is the subject of this action is a liquidating trust, governed by the laws and equitable principles governing trusts generally under Wisconsin law. Pursuant to Wisconsin Statutes Section 881.01(3)(a)-(b), the Receiver must exercise reasonable care, and "invest and manage assets as a prudent investor would, by considering the purposes, terms,

distribution requirements, and other circumstances of the ... trust.” The Receiver is to have “an overall investment strategy having risk and return objectives reasonably suited to the ... trust.”

2. Considering the changes in the nature of the Trust, the Trust will be known as the WFT Liquidating Trust, and the Receiver is authorized to make such change on the records of the Wisconsin Department of Financial Institutions.

3. As Receiver, the Receiver has served, and will continue to serve, pursuant to the terms, conditions and limitations of the pursuant to the Court’s Injunction and Order Appointing Receiver Over Wisconsin Funeral Trust dated October 24, 2012 (as amended, the “Appointment Order”), as the Trustee of the WFT Liquidating Trust, subject to replacement at the conclusion of this case in a manner acceptable to the Court.

4. Pursuant to Section 10(m) of the Appointment Order, the Statement of Investment Policy attached to this Order as Exhibit A-1 (the “Investment Policy”) is approved. The Receiver is authorized to change the name of the Trust in the Investment Policy to be consistent with the terms of this Order. The Receiver is authorized to invest the assets of the WFT Liquidating Trust pursuant to the Investment Policy and to use Ziegler Lotsoff Capital Management, LLC (“Ziegler Lotsoff”) as his Investment Advisor (subject to removal and replacement by the Receiver in his reasonable discretion upon notice to the Court). The Receiver may also cause funds to be invested in Fidelity money market accounts and may retain adequate working capital checking accounts at financial depositories of the Receiver’s choice.

5. This is an interim approval of the Investment Policy as more fully described in the Motion. The Receiver shall return to the Court no less frequently than every six months, as scheduled by the Court and with notice to the parties-in-interest including all funeral home

beneficiaries of the Trust, to review investment results and to affirm or revise the Investment Policy.

6. The Receiver shall, on or before the Friday of the second full week of each month, or as soon as possible thereafter, post monthly financial information for the Trust on the public website for the Trust (www.wisconsinfuneraltrust.org). Information will include a balance sheet showing all assets and liabilities of the Trust, a description of the Trust's investments and investment results, and comparisons against the Investment Policy's benchmarks. Any party to this action, as well as any beneficiary of the Trust, may compel the Receiver, from time to time between the above-described semi-annual reviews of the trust investments and Investment Policy, to appear before the Court to respond to concerns over investment performance.

Dated October 14, 2013.

BY THE COURT:



The Honorable Peter C. Anderson
Circuit Court Judge, Branch 17