

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CIVIL DIVISION**

STATE OF FLORIDA,
OFFICE OF FINANCIAL REGULATION,

Plaintiff,

vs.

Case No.: 14-001695-CI

TRI-MED CORPORATION,
TRI-MED ASSOCIATES INC.,
JEREMY ANDERSON,
ANTHONY N. NICHOLAS, III,
ERIC AGER, IRWIN AGER,
and TERESA SIMMONS BORDINAT
a/k/a TERESA SIMMONS,
and ANTHONY N. NICHOLAS, JR.,

Defendants,

TMFL HOLDINGS, LLC,

Relief Defendant.

ORDER

THIS MATTER comes before the Court on (1) Burton W. Wiand, as Receiver's Motion to Expand the Scope of Receivership to Include Interventional Pain Center, LLC (the "**Motion**") and the Receiver's Affidavit in support of the Motion (the "**Receiver's Affidavit**"), both of which were filed on August 6, 2015; and (2) the Objection to the Receiver's Motion to Expand the Receivership (the "**Objection**") filed by Defendants Jeremy Anderson, Anthony N. Nicholas, Jr., and Anthony N. Nicholas, III. The Court having reviewed the Motion, the Receiver's Affidavit, and the Objection, heard arguments from counsel, and otherwise being fully advised in the premises, it is hereby **ORDERED** and **ADJUDGED** that the Receiver's Motion to Expand

the Scope of Receivership to Include Interventional Pain Center, PLLC is **GRANTED** as follows:

1. The Court finds that the evidence presented by the Receiver, as set forth in the exhibits to the Receiver's Affidavit, is both uncontroverted and legally sufficient to expand the receivership over IPC. IPC was also served with a copy of the Motion and Receiver's Affidavit, and received notice of the hearing. *See Puma Enters. Corp. v. Vitale*, 566 So. 2d 1343 (Fla. 3d DCA 1990).

2. The Court also finds that sufficient evidence exists to exercise personal jurisdiction over IPC, as (1) IPC is within the reach of Florida's long arm statute, Fla. Stats. § 48.193 ("**Section 48.193**"), including specifically under Sections §§ 48.193(1)(a)(1)-(2) and (6), 48.193(2), and 48.193(7); and (2) this Court's exercise of personal jurisdiction over IPC is consistent with the Due Process Clause of the Fourteenth Amendment of the U.S. Constitution.

3. The scope of the receivership created in this case is expanded to include Interventional Pain Center, PLLC, and all control of IPC is vested in the Receiver for the benefit of the Receivership estate. Interventional Pain Center, PLLC shall be subject to the Order Imposing Temporary Injunction, Appointment of a Receiver, and Other Statutory and Ancillary Relief (the "**Order Imposing Injunction**") previously entered in this case on March 5, 2014, as though Interventional Pain Center, PLLC, was specifically named therein. The Court finds that based on the OFR's previous filings and the Receiver's Affidavit, the same findings and conclusions that led the Court to include Defendants Tri-Med Corporation, Tri-Med Associates, Inc., and TMFL Holdings, LLC in the Order Imposing Injunction apply equally to Interventional Pain Center, PLLC.

4. Burton W. Wiand is appointed Receiver of Interventional Pain Center, PLLC, and all of its assets and properties, and is directed to take immediate possession of said assets and properties; (b) any financial, banking, or brokerage institutions, bailees, debtors, or any other persons or entities holding any assets, funds, or other properties of Interventional Pain Center, PLLC, or their agents, are ordered to hold and retain within their control such assets, funds, or properties and prohibit their withdrawal, transfer, setoff, pledge, or disposal until further order of this Court or, to the extent authorized by the Order Imposing Injunction, instructions from the Receiver.

DONE and ORDERED in Chambers in Pinellas County, Florida this ____ day
of _____, 2015.

The Honorable Judge Cynthia J. Newton
Circuit Court Judge

TRUE COPY
Original Signed
SEP 30 2015
CYNTHIA NEWTON
CIRCUIT JUDGE

COPIES TO:
Counsel of Record