

**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.

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2015 DEC 11 AM 10:17  
 KEN EUNKE  
 CLERK OF CIRCUIT COURT  
 PINELLAS COUNTY

**EX PARTE ORDER**

**THIS MATTER** comes before the Court on Burton W. Wiand, as Receiver's *Ex Parte* Motion to Expand the Scope of the Receivership to Include Rejuva Medical and Wellness L.L.C. and Rejuva Medical Center L.L.C., as Alter Egos And/or Successors-in-interest of Receivership Entity Interventional Pain Center, PLLC (the "**Motion**"), which is supported by affidavits of Burton W. Wiand, as Receiver and Dr. Susan Herda, all of which were filed on December 10, 2015. The Court having reviewed the Motion and the supporting affidavits, and otherwise being fully advised in the premises, it is hereby **ORDERED** and **ADJUDGED** that the Receiver's Motion is **GRANTED**:

1. The Court finds that the evidence presented by the Receiver, as set forth in the supporting affidavits and exhibits, is legally sufficient to expand the receivership over Rejuva Medical and Wellness L.L.C. and Rejuva Medical Center L.L.C. (collectively, “**Rejuva**”). Specifically, the Court finds that Rejuva is the alter ego and/or successor-in-interest of Receivership Entity Interventional Pain Center, PLLC (“**IPC**”) for the reasons asserted in the Motion. The Court further finds that the *ex parte* relief sought by the Receiver in the Motion is justified based on Defendant Jeremy Anderson’s past conduct and the imminent threat of dissipation of receivership assets if Defendant Anderson was to receive notice of the Motion or immediate notice of this Order.

2. The Court also finds that sufficient evidence exists to exercise personal jurisdiction over Rejuva, as Rejuva is the alter ego and/or successor-in-interest of IPC and the Court previously determined that the exercise of personal jurisdiction over IPC was proper 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.

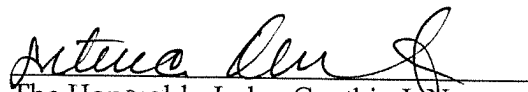
3. The scope of the receivership created in this case is expanded to include Rejuva Medical and Wellness L.L.C. and Rejuva Medical Center L.L.C., and all control of Rejuva Medical and Wellness L.L.C. and Rejuva Medical Center L.L.C. is vested in the Receiver for the benefit of the Receivership estate. Rejuva Medical and Wellness L.L.C. and Rejuva Medical Center L.L.C. 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 Rejuva Medical and Wellness L.L.C.

and Rejuva Medical Center L.L.C. were specifically named as Defendants in the Order Imposing Injunction. The Court finds that based on the OFR's previous filings and the affidavits filed in support of the Motion, the same findings and conclusions that led the Court to include Tri-Med Corporation, Tri-Med Associates, Inc., TMFL Holdings, LLC, and Interventional Pain Center, PLLC, in the Order Imposing Injunction apply equally to Rejuva Medical and Wellness L.L.C. and Rejuva Medical Center L.L.C.

4. Burton W. Wiand is appointed Receiver of Rejuva Medical and Wellness L.L.C. and Rejuva Medical Center L.L.C., and all of its assets and properties, and is directed to take immediate possession of said assets and properties; and any financial, banking, or brokerage institutions, bailees, debtors, or any other persons or entities holding any assets, funds, or other properties of Rejuva Medical and Wellness L.L.C. and Rejuva Medical Center L.L.C., 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.

5. Following entry of this Order, the Receiver shall promptly domesticate it in Minnesota, and he shall serve a copy of this Order as required by applicable rules and laws within two business days after the Receiver receives a domesticated copy.

**DONE** and **ORDERED** in Chambers in Pinellas County, Florida this 11 day of Dec., 2015.

  
The Honorable Judge Cynthia J. Newton  
Circuit Court Judge

COPIES TO:  
Counsel for Receiver Burton W. Wiand  
A. Gregory Melchior, Esq.



STATE OF FLORIDA-PINELLAS COUNTY

I hereby certify that the foregoing is a true copy as the same appears among the files and records of this court.

This 11 day of December, 2015

KEN BURKE

Clerk of Circuit Court & Comptroller

By:   
Deputy Clerk