

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

ELAINE L. CHAO, )  
SECRETARY OF LABOR, )  
UNITED STATES DEPARTMENT OF LABOR, )  
Plaintiff, ) CIVIL ACTION  
v. ) NO.  
ROBERT C. LAHUE D.O. CHARTERED PROFIT )  
SHARING PLAN AND TRUST, )  
Defendant. )

CONSENT DECREE

Upon motion of counsel for Plaintiff, and Defendant Robert C. LaHue D.O. Chartered Profit Sharing Plan and Trust having admitted the allegations of the Complaint and having agreed to entry of this Consent Decree without contest;

This Court having jurisdiction over the parties to this Consent Decree; and this Court being empowered to provide the relief described herein, and for cause shown, it is therefore:

ORDERED, ADJUDGED and DECREED that:

GTrust, an Independent Trust Company, is hereby appointed as the Independent Fiduciary of the Plan, with plenary authority to sell the Plan assets, identify all legitimate creditors of the Plan and pay the amount of their claims, and distribute the Plan's assets to eligible participants and service providers.

GTrust is required to submit for approval by this Court, with simultaneous service upon Plaintiff, a schedule outlining the proposed distribution of the Plan assets prior to such distribution.

GTrust is granted the authority and duty to terminate the Plan.

GTrust is authorized to retain such assistance as it may require, including attorneys, real estate brokers, accountants, contract administrators and other service providers.

The Plan is required to pay administrative expenses and fees to GTrust of up to of 3% of the Plan's assets or \$7,500, whichever is greater, and usual and customary real estate brokerage fees associated with the sale of the real estate owned by the Plan.

GTrust shall not be held personally responsible for any claims against the Plan or related entities which existed, arose, matured or vested prior to the appointment of GTrust, or for any claims filed subsequent to final distribution by a Plan participant that GTrust did not identify prior to closing of the account.

Nothing in this Consent Decree is binding on any governmental agency other than the United States Department of Labor, Employee Benefits Security Administration.

Each party shall bear her, his, or its own attorneys' fees, costs and other expenses incurred by such party to date in connection with any stage of the above-referenced proceeding including, but not limited to, attorneys' fees, costs and other expenses which may be available under the Equal Access to Justice Act, as amended.

This Court shall retain jurisdiction over this action and the parties hereto as may be necessary to enforce the provisions of the Consent Decree. The Court directs the entry of this Consent Decree as a final order and dismisses this case with prejudice.

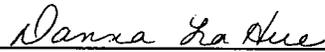
Dated this 11th day of May, 2005.

s/ Carlos Murguia

United States District Judge

Entry of this Consent Decree is hereby consented to:

Defendant Robert C. LaHue D.O. Chartered Profit Sharing Plan  
and Trust

  
\_\_\_\_\_  
Danna LaHue  
Executrix of the Estate of  
Dr. Robert C. LaHue, deceased  
Trustee of the Robert C. LaHue  
D.O. Chartered Profit Sharing  
Plan and Trust

  
\_\_\_\_\_  
Thomas C. Graves  
Attorney at Law  
STINSON MORRISON HECKER LLP  
1201 Walnut Street  
Kansas City, Missouri 64106-2150  
Attorney for Ms. LaHue

APPROVED:  
Howard M. Radzely  
Solicitor of Labor

Michael A. Stabler  
Regional Solicitor  
Missouri Bar # 26211

  
\_\_\_\_\_  
Andrea Christensen Luby  
Attorney  
Missouri Bar # 49009  
Kansas Bar # 19030

1210 City Center Square  
1100 Main Street  
Kansas City, MO 64105

Attorneys for Elaine L. Chao  
Secretary of Labor  
U.S. Department of Labor