

COMMONWEALTH OF KENTUCKY  
FRANKLIN CIRCUIT COURT  
DIVISION II

CONSOLIDATED CIVIL ACTION No. 13-CI-01282



**SHARON P. CLARK, in her capacity as  
COMMISSIONER  
KENTUCKY DEPARTMENT OF INSURANCE**

**PETITIONER**

**v.**

**KENTUCKY SCHOOL BOARD INSURANCE  
TRUST PROPERTY AND LIABILITY FUND, et al.**

**RESPONDENTS**

**ORDER**

This matter is before the Court upon KSBIT's *Supplemental Memorandum In Support of Kentucky School Boards Insurance Trust's Motion to Authorize Payment of Legal Fees and Expenses from the KSBIT Funds' Assets*. The case was called before the Court during its regular civil motion hour on Wednesday, February 26, 2014. Upon review of the parties' briefs and papers, and after being sufficiently advised, the Court hereby **GRANTS** KSBIT's *Motion*, in part.

The Court is unwilling to grant KSBIT's *Motion* with respect to attorneys' fees without clear statutory authority to do so. The Court does, however, grant KSBIT's *Motion* to the extent that the Court will award actuarial and accounting fees necessarily incurred in presenting the alternative rehabilitation and assessment methodologies to be paid from the KSBIT Funds. KSBIT's actuarial and accounting fees incurred in presenting the alternative rehabilitation and assessment methodologies may be paid from the KSBIT Funds so long as such combined fees do not exceed \$50,000.00.

SO ORDERED, this 27<sup>th</sup> day of February, 2014.

**Signature on file with  
original document**

\_\_\_\_\_  
**THOMAS D. WINGATE**  
Judge, Franklin Circuit Court

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Order was mailed, this 18 day of February, 2014, to the following:

**Hon. Peter F. Ervin**  
**Hon. La Tasha Buckner**  
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*Counsel for Intervenor, Green River Regional  
Educational Cooperative*

**Signature on file with  
original document**

A handwritten signature in blue ink, appearing to read "Sally Jump", is written over a horizontal line. The signature is stylized and partially obscures the text below it.

Sally Jump, Franklin County Circuit Court Clerk