



Receivership.

The court further finds that the form proposed by the Receiver for the filing of a proof of claim is sufficient for the filing of creditor claims and the creditors who file claims using the Receivership Website prior to the Bar Date should be deemed to have filed their claims with Receiver as if they had filed a written claim form.

The court finds that the assets and liabilities of the companies which the Receiver has identified in the Motion should be consolidated for the administration of the Receivership in these proceedings, subject however, to the right of one or more investors to allege and prove a claim that all or part of the assets of the Receivership may consist of assets held in constructive trust by the Receiver for the benefit of such investors.

Finally, the court finds that the claims of investors allowed in these proceedings should be calculated by taking the sum all payments actually made by the investor to any of the Heartland Companies and then deducting all payments actually received by the investor from any of the Heartland Companies. This calculation is consistent with logic of the 7<sup>th</sup> Circuit as discussed in the case of *Scholes V. Lehmann* , 56 F.3d 750 (7th Cir. 1995).

*IT IS THEREFORE, ORDERED; ADJUDGED AND DECREED:* That March 30, 2001 is hereby established by the court as a Bar Date for the filing of claims by creditors in these proceedings. In order to participate in the distribution of funds of the Receivership all creditors holding claims must file a proof of claim with the Receiver prior to the Bar Date. A proof of claim will be deemed to be filed on the date that it is actually received in the office of the Receiver.

*FURTHER ORDERED:* That the Receiver shall give notice of the Receivership and of the claims Bar Date as follows:

- a. A direct mailing to all known investors;
- b. A direct mailing to all known trade creditors;
- c. A direct mailing to certain taxing authorities as follows;
  - i. The United States Internal Revenue Service,
  - ii. The Department of Revenue of the State of Indiana.

- iii. The Treasurer of Marion County, Indiana
- d. Publication of the Notice as follows;
  - i. One time in the newspaper *USA Today* not less than 75 days prior to the Bar Date,
  - ii. Three times in the *Indianapolis Star* newspaper at intervals of not less than 75, 60 and 45 days prior to the Bar Date,
  - iii. Three times in the *Indianapolis Commercial* newspaper at intervals of not less than 75, 60 and 45 days prior to the Bar Date.
  - iv. Continuously on the Receiver's Website beginning not less than 75 days prior to the Bar Date.

*FURTHER ORDERED:* That the form submitted by the Receiver as Exhibit "C" to the Motion is hereby approved as the form to be used by creditors for the filing of claims in these proceedings. The electronic filing of claims through the use of the claim form on the Heartland Companies Website at [heartlandfinancialinfo.com](http://heartlandfinancialinfo.com) is also approved.

*FURTHER ORDERED:* That the claims of investors allowed in these proceedings should be calculated by taking the sum all payments actually made by the investor to any of the Heartland Companies and then deducting all payments actually received by the investor from any of the Heartland Companies.

*FURTHER ORDERED:* That the assets and liabilities of the following companies which the Receiver has identified in the Motion, namely *Aero Technologies Ltd., Atlas Income Fund, LLC, BMC Investment Group, LLC, Caribbean Federal Trust, Ltd., Caribbean Federal Services, Ltd., Caribbean Financial Services, Caribbean Investments International, Ltd., Celtic Centre II, Ltd., Charmar, Ltd., Dolphin International Development, Ltd., Dolphin Peninsula Partners, First Fidelity Trust, Ltd., First International Limited, Heartland Advisory Services, Inc., Heartland Financial Services, Inc., Heartland International Trust Services, Ltd., Heartland Money Management of Florida, Inc., International Leisure Centers, Inc., JMS Investment Group, LLC, KJL Ltd. of Belize, Lincoln Fidelity Escrow Services, MDS Investment, Ltd., PMK, Ltd., RMP, Ltd., Terens, Ltd., 1<sup>st</sup> Century Banking Group, Ltd., 21<sup>st</sup>*

*Century International Bank & Trust, Ltd. of Grenada, 21<sup>st</sup> Century International Advisors, Inc., 21<sup>st</sup> Century International Advisors of Bermuda, Ltd., 21<sup>st</sup> Century International Advisors of Ireland, Ltd., 21<sup>st</sup> Century Personnel, LLC, Universal Financial Services, Ltd.* should be consolidated for the administration of the Receivership in these proceedings, subject however, to the right of one or more investors to allege and prove (prior to any distribution of funds of the Receivership) a claim that all or part of the assets of the Receivership may consist of assets held in constructive trust by the Receiver for the benefit of such investors.

DATED

12/26/2000

  
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John Daniel Tinder, Judge, U.S. District Court  
Southern District of Indiana

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