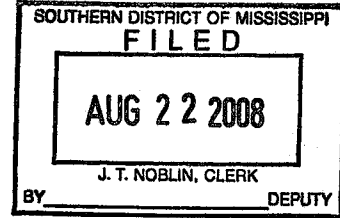


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI



ELAINE L. CHAO,)
Secretary of Labor,)
U. S. Department of Labor,)
Plaintiff,)

FILE NO. 3:07-CV-00440-DPJ-JCS

v.)

MISSISSIPPI STATE MEDICAL)
ASSOCIATION and)
MISSISSIPPI STATE MEDICAL)
ASSOCIATION BENEFIT PLAN)
AND TRUST.)
Defendants.)

INDEPENDENT FIDUCIARY'S REVISED AND CORRECTED STATUS REPORT

Pursuant to the August 14, 2007 Consent Judgment (D.E. #6) issued by this Court, Receivership Management, Inc. was appointed as Independent Fiduciary (hereafter referred to as "Independent Fiduciary") for the Mississippi State Medical Association Benefit Plan and Trust (hereafter referred to as the "MSMA Plan"), a health and welfare benefit plan. On July 24, 2008, the Court issued an Order, *sue sponte*, for a status report to summarize the remaining duties under the MSMA Plan and when the Independent Fiduciary expects to complete them. On August 7, 2008 the Independent Fiduciary filed its Status Report (D.E. #30) in response to the Court's Order. Since the filing of the Status Report, the Independent Fiduciary has noted an error in the reporting of an unadjudicated claim amounts for provider

claimants. As a result, the following information contained in the Independent Fiduciary Status Report (D.E. #30) is hereby revised and corrected:

Completed Items

7. All total, 170 participant claims and 5 provider claims were submitted to RMI for processing, representing a gross unadjudicated amount of \$1,157,424.60

8. On January 2, 2008, the Independent Fiduciary issued its first claims funding request on claims recommended for payment. This request consisted of 63 claims for an adjudicated total of \$137,834.27. The Independent Fiduciary gave MSMA 30 days to respond with any objections. MSMA requested an additional 30 days. MSMA did not object to any recommended claims payment. Payment for these claims was received from MSMA on March 14, 2008 and on March 27, 2008, the Independent Fiduciary issued checks to those participants in the first claims funding request.

9. On February 7, 2008, the Independent Fiduciary issued information requests on 11 claimants requesting benefit plan information. The Independent Fiduciary requested MSMA respond by March 15, 2008. MSMA responded to the Independent Fiduciary's request on April 30, 2008.

10. On February 21, 2008, the Independent Fiduciary issued its second information request on 11 participant claims requesting benefit information. The Independent Fiduciary requested that MSMA respond by April 15, 2008. MSMA responded to this information request on August 1, 2008.

11. On February 25, 2008, the Independent Fiduciary issued its second claims funding request and recommendation on 22 participant claims with an adjudicated total of \$22,072.37. The Independent Fiduciary gave MSMA sixty (60) days to object. Otherwise, the Independent Fiduciary requested MSMA fund the claims payments by May 1, 2008. MSMA did not object to any of the recommendations and paid \$22,072.37 on May 21, 2008.

12. On May 30, 2008, the Independent Fiduciary issued its third claims funding request and recommendation on nine (9) participant claims with an adjudicated total of \$7,727.41. The Independent Fiduciary gave MSMA sixty (60) days to object. Otherwise, the Independent Fiduciary requested MSMA fund the claims payments by August 1, 2008. No objections have been received by the Independent Fiduciary from MSMA. On August 20, 2008 a check for \$7,727.41 was received from MSMA for payment of these approved and recommended participant claims.

13. As of August 20, 2008:

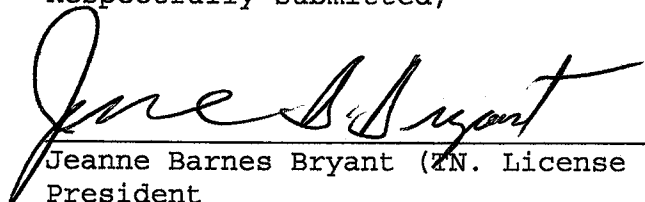
- a) 62 participant claims, representing and unadjudicated total of \$136,813.17, have been denied under the terms of the MSMA Plan Document. These denials largely represented copayments, co-insurance, and deductible amounts that were the responsibility of the participant.
- b) 94 claims have been approved and paid by MSMA, totaling \$166,959.79.

- c) 15 participant claims representing an unadjudicated total of \$313,870.00 remain pending as a result of information requests due from MSMA.¹
- d) 5 provider unadjudicated claims totaling \$307,065.93.

REMAINING DUTIES UNDER THE MSMA PLAN AND EXPECTED COMPLETION

There remain 15 participant and 5 provider claims to process. Depending upon MSMA's objection or payment timing, a participant's objection, or a provider's objection to the adjudication of those claims, the Independent Fiduciary estimates that these items should be completed by the end of November 2008.

Respectfully submitted,



Jeanne Barnes Bryant (TN. License 5835)
President
Receivership Management, Inc.
Independent Fiduciary
Mississippi State Medical Association
Benefit Plan and Trust
783 Old Hickory Blvd, Suite 255
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¹ On August 1, 2008, MSMA responded to the pending claim information requests. One pending claim totals \$ 238,128.00.

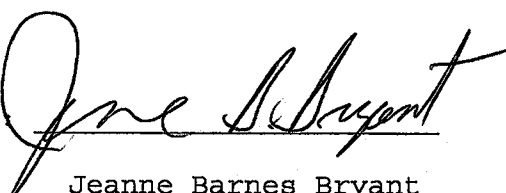
CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Status Report have been or will be mailed and/or faxed if number available by the 21st day of August, 2008 to all parties noted below:

U.S. Secretary of Labor
United States Department of Labor
Employee Benefits Security Administration
ATTN: Rebecca Marshall
61 Forsyth St., S.W., Suite 7B54
Atlanta, GA 30303

Mississippi State Medical Association
ATTN: Linda McMullen
408 W. Parkway Place
Ridgeland, MS 39157

Megan E. Guenther, Trial Attorney
U.S. Department of Labor
Office of the Solicitor
Division of Plan Benefits Security
Frances Perkins Building
200 Constitution Avenue, N.W.
Washington, D.C. 20210

BY 
Jeanne Barnes Bryant
Independent Fiduciary