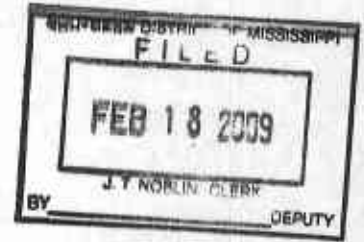


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI



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

v.

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

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) FILE NO. 3:07-CV-00440-DPJ-JCS  
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THIRD STATUS REPORT OF THE INDEPENDENT FIDUCIARY

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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.

1. 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 a Status Report was filed and on August 22, 2008 a Revised Status Report was filed.

2. On January 5, 2009, the Independent Fiduciary submitted it's Second Status Report (filed and entered February

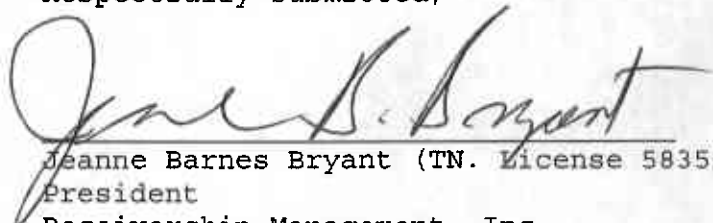
2, 2009). In these Reports, the Independent Fiduciary indicated it would provide the court with an update as to status. This document constitutes the Independent Fiduciary's Third Status Report.

3. Since the appointment of the Independent Fiduciary 174 claims have been processed and adjudicated and 1 claim remains to be processed. In its Second Status Report, the Independent Fiduciary noted that the one remaining items were claims for payment submitted by Memorial Hospital of Gulfport, Mississippi.

4. Memorial Hospital at Gulfport has submitted two sets of claims. The first set, submitted prior to December 15, 2007, claims billed charges in the amount of \$297,438.17. The second set, submitted on September 24, 2008, claims billed charges in the amount of \$190,600.27. Neither set of charges has been processed. Counsel for the Mississippi State Medical Association, Ms. Linda McMullen, asked that her client be given the opportunity to reach some compromise on these charges before incurring the administrative expense of processing these claims involving several different participants.

5. The Independent Fiduciary's staff has consulted with counsel for the Mississippi State Medical Association and counsel for Memorial Hospital of Gulfport, Mississippi. Both parties are attempting to resolve these claims and have concurred with continuing the negotiating process, with the result of these negotiations to be reported to the Independent Fiduciary by the close of business March 3, 2009.

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  
Brentwood, TN 37027  
Telephone: 615-370-0051  
Fax: 615-373-4336

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Third Status Report have been or will be mailed and/or faxed if number available by the 10 day of February, 2009 to all parties noted below:

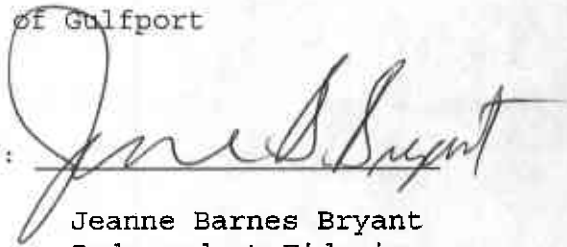
U.S. Secretary of Labor  
United States Department of Labor  
Employee Benefits Security Administration  
ATTN: Rebecca Marshall, Regional Director  
61 Forsyth St., S.W., Suite 7B54  
Atlanta, GA 30303

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

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  
Counsel for Secretary of Labor

Roland F. Samson, III  
Samson & Powers, PLLC  
1300 25<sup>th</sup> Avenue, Suite 130  
Gulfport, MS. 39502  
Counsel for Memorial Hospital of Gulfport

BY:

A handwritten signature in cursive script, appearing to read "Jeanne Barnes Bryant", written over a horizontal line.

Jeanne Barnes Bryant  
Independent Fiduciary