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FULTON COUNTY
COMMON PLEAS COURT
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PAUL E. MACDONALD
CLERK

IN THE COURT OF COMMON PLEAS
FULTON COUNTY, OHIO

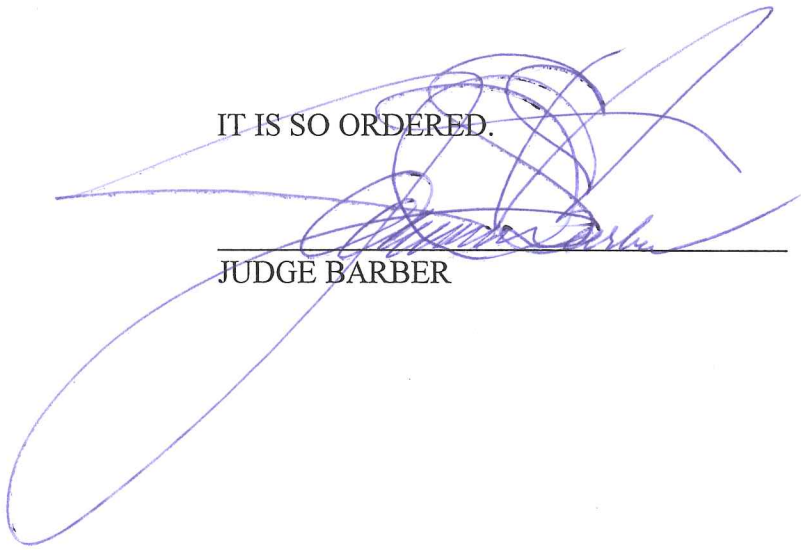
THE FARMERS & MERCHANTS) Case No. 11CV000128
STATE BANK,)
) Judge Barber
Plaintiff,) ORDER
-vs-)
ARCHBOLD ELEVATOR, INC., et al.,)
)
Defendants.)

This matter came on for consideration on the Receiver's Motion to Approve a Compromise of the Secured Debt of The Farmers & Merchants State Bank. The Court notes that all parties to this matter consent to this motion. The Court further notes that the intervening party, APEX, which claims a first priority secured interest consents to this motion provided that the Receiver continues to hold \$200,000 in a segregated account subject to future claim by APEX.

It is therefore ORDERED, ADJUDGED and DECREED that the Receiver is ordered to pay \$1,912,121.28 to The Farmers & Merchants State Bank in order to satisfy all claims that The Farmers & Merchants State Bank has against the Archbold Entities in full as well as all claims it has against William and Lynette Fricke personally based upon a guaranty by William and Lynette Fricke related to the credit facilities of the Archbold Entities. (To be clear, neither William Fricke nor Lynette Fricke are released by this Order from any loan that they have,

individually or jointly, with Farmers & Merchants State Bank or from any mortgage or other security interest related to any individual loan obligation to Farmers & Merchants State Bank). The Receiver is further ordered to continue to segregate \$200,000 until the claim of APEX has been resolved by agreement or Court Order. No further distribution is to be made without further order of the Court.

IT IS SO ORDERED.



JUDGE BARBER