

**IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE**

**WANDA GAIL HARLAN
d/b/a CENTRAL CASH,**

Petitioner,

-v-

**DEPARTMENT OF FINANCIAL
INSTITUTIONS, COMPLIANCE
DIVISION, AND GREG GONZALES,
COMMISSIONER OF FINANCIAL
INSTITUTIONS OF THE STATE OF
TENNESSEE,**

Respondents.

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Dav. Co. Chancery Court

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FOZTT
No. 11-0170-III
Chancellor Lyle

)
Commissioner of Financial
of the State of Tennessee,
Docket No. 03.00-103295J

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Dev. Co. Chancery Court

DAVIDSON COUNTY CHANCERY CT
CLERK & MASTER
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FILED

AGREED ORDER

It appears to the Court, as evidenced below by signature of counsel for the respective parties, the appeal of Wanda Gail Harlan, d/b/a Central Cash, is moot and should be denied. The following are agreed findings of fact and conclusions of law:

1. On August 5, 2009, the Petitioner, Wanda Harlan and her husband filed a Chapter 11 bankruptcy in the United States Bankruptcy Court for the Middle District of Tennessee which was assigned case number 309-08859.
2. Pursuant to the automatic stay provisions of 11 U.S.C. §362(a)(1), the filing of a bankruptcy petition operates as a stay to the continuation of an administrative proceeding against the Debtor. An exception to this rule provided in subsection (b)(4) is that the automatic stay does not operate as a stay, "under paragraph (1), (2), (3), or (6) of subsection (a) of this section, of the commencement or continuation of an action or proceeding by a governmental unit or any organization exercising authority... to enforce such

governmental unit's or organization's police and regulatory power, including the enforcement of a judgment other than a money judgment, obtained in an action or proceeding by the governmental unit to enforce such governmental unit's or organization's police or regulatory power." 11 U.S.C. §362(b)(4) (2010). The Tennessee Department of Financial Institutions proceeded administratively against the Petitioner under this exception.

3. On November 13, 2009, Mr. and Ms. Harlan filed their First Amended and Restated Chapter 11 Plan of Reorganization and Disclosure Statement in the aforementioned bankruptcy proceedings (US Bankruptcy Court Docket entries 120 & 121).
4. On November 23, 2009, the Tennessee Department of Financial Institutions filed an objection to the Debtor's First Amended Disclosure Statement/Plan and Confirmation Thereof in the aforementioned bankruptcy proceedings (US Bankruptcy Court Docket entry 128).
5. On December 2, 2009, an order was entered by the United States Bankruptcy Court for the Middle District of Tennessee confirming the Chapter 11 plan of Ms. Harlan and her husband. (US Bankruptcy Court Docket entry 130). A copy of this bankruptcy order is included in the Administrative Record at Volume II, pages 216 through 220. The resolution of the objection to confirmation to the Petitioner's plan raised by the Tennessee Department of Financial Institutions, as reflected in paragraph 15 of the bankruptcy order, rendered this matter moot. Further, the United States Bankruptcy Court for

the Middle District of Tennessee under Ms. Harlan's confirmed plan retained jurisdiction of all matters regarding implementation of the plan.

For the reasons stated herein, it is hereby **ORDERED** that:

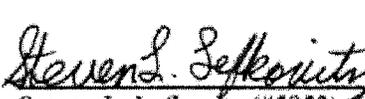
- 1) this action is **DISMISSED WITH PREJUDICE**;
- 2) the Final Order of the Commissioner of Financial Institutions is **AFFIRMED**; and
- 3) all costs of this action shall be taxed to the Petitioner.

ENTER this the ____ day of December, 2011.

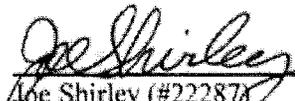


Ellen Hobbs Lyle, Chancellor

APPROVED FOR ENTRY:


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*by Joe Shirley
w/permission*



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