




OFFICE OF SECRETARY OF STATE
CERTIFICATE

I, BOB BABBAGE, SECRETARY OF STATE, COMMONWEALTH OF KENTUCKY, do hereby certify that an Order and Judgement and Sentence on a Plea of Guilty for Proctor, Davis, Ray Engineers, Inc. has properly been filed according to law and notice is hereby given that said corporation is cancelled from the records in this office, effective March 10, 1993.

Given under my hand, this 17th day of February, 1994.



BOB BABBAGE
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY

RECEIVED & FILED

COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT
INDICTMENT NO. 92-CR-00038/001-002
DIVISION I

FEB 18 2 56 PM '94

Am...
COMMONWEALTH OF KENTUCKY

PLAINTIFF

VS.

ORDER

FILED DEFENDANT

PROCTOR DAVIS RAY ENGINEERS, INC.
ELBERT RAY

MAR 10 1993

DOB: [REDACTED]
SSN: [REDACTED]

FRANKLIN CIRCUIT COURT
JANICE MARSHALL, CLERK

** ** * * * * * **

This the 8th day of March, 1993, the Defendant, Proctor Davis Ray Engineers, Inc. and Elbert Ray, its agent, appeared in open court with his attorney, the Honorable James Shuffett and the Commonwealth was represented by the Honorable Carl Stich, Jr. the Special Commonwealth Attorney. The Commonwealth moved the Court to Dismiss Count III of the Indictment and regarding Counts II and IV, the co-defendant Elbert Ray be placed on pretrial diversion for 33 months and guarantee payment of any fine levied against the corporation. Fine left to the discretion of the court. The Court granted that motion. The Defendant, Proctor Davis Ray Engineers, Inc and Elbert Ray, in person and through his attorney, entered a plea of guilty to Count I of the Indictment. The Court inquired of the Defendant and his counsel as to their understanding of the Commonwealth's offer on a plea of guilty and the Defendant's Motion to enter a guilty plea.

The Court finds that the Defendant understands the nature of the charges against him, that the Defendant's plea is voluntary, that the Defendant knowingly and voluntarily relinquishes his privilege against self-incrimination, his right to be confronted by

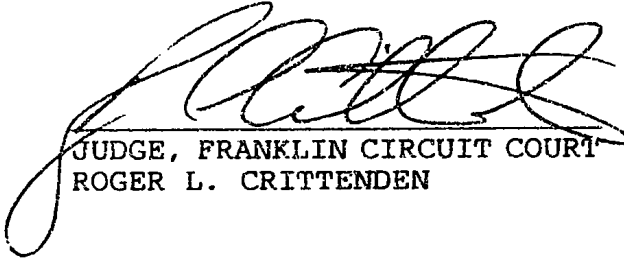
his accusers and his right to trial by jury, and that there is a factual basis for the Defendant's plea.

IT IS HEREBY ORDERED that the Defendant's plea of guilty be accepted and entered as prayed.

IT IS THEREFORE, ORDERED AND ADJUDGED that the Defendant is guilty of Making a corporate contribution to a political campaign in violation of KRS 121.035(1) under Count I of the Indictment. The Court Dismisses of Count III of the indictment. Elbert Ray is placed on pretrial diversion for 33 months under Counts II & IV , and guarantees payment of any fine levied against the corporation. Protor Davis Ray Engineers, Inc. is fined \$5,000.00 under Count I.

THEREFORE, there being no reason for delay, sentencing and judgment was pronounced as per AOC Form 445.

SO ORDERED this 9th day of March, 1993.


JUDGE, FRANKLIN CIRCUIT COURT
ROGER L. CRITTENDEN

STATE OF KENTUCKY
COUNTY OF FRANKLIN

Janice Marshall, Clerk, Franklin ^{Circuit} District Court
Franklin County, State of Ky. and as such the custodian
of the records of, or appertaining to, said Court, do
hereby certify the foregoing to be a true and accurate
copy as the same appears in my office; in testimony
whereof, witness my hand this 5th day of

December 19 93
Janice Marshall, Clerk, Franklin District Court
By Paul McCarroll Deputy Clerk

AOC-445
Rev. 4-90

Commonwealth of Kentucky
Court of Justice



JUDGMENT AND SENTENCE
ON PLEA OF GUILTY

Case No. 92-CR-00038/001-002

Court CIRCUIT

County FRANKLIN

COMMONWEALTH OF KENTUCKY

v.

PROCTOR DAVIS RAY ENGINEERS INC
and ELBERT RAY
Defendant

DOB: [REDACTED]
SSN: [REDACTED]

ENTERED

MAR 10 1993

FILED

MAR 10 1993

FRANKLIN CIRCUIT COURT
JANICE MARSHALL, CLERK

FEB 19 3 00 PM '93

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The defendant at arraignment entered a plea of NOT GUILTY GUILTY to the following charges contained on March 13, 1992

in the indictment(s) (1) Making corporation contribution (2)
to a political campaign in violation of KRS 121.035 and 121.990 4 counts
(3) _____, which offenses were committed on or about (1) 12-10-90

_____ when the defendant was 57 years old (2)

when the defendant was _____ years old (3) _____ when the defendant

was _____ years old. The defendant's date of birth is 12-17-33

[And on the day of March 8, 1993 having appeared in open court with his

attorney Honorable James Shuffett by agreement with the attorney for the Commonwealth he withdrew his plea of not guilty and entered a plea of GUILTY.] Finding that the defendant understands the nature of the charges against him including the possible penalties, that the defendant knowingly and voluntarily waives his right to plead innocent, to be tried by a jury, to compel the attendance of witnesses in his behalf, to confront and cross examine witnesses and to appeal his case to a higher court, and finding further that the defendant understands and voluntarily waives his right not to incriminate himself, [his right to be represented by an attorney at each stage of the proceedings against him and, if necessary, to have an attorney appointed to represent him,] and finding that the plea is voluntary, the Court accepts the plea. dismiss Ct. III, pretrial diversion on CTS, II & IV

On the 8th day of March, 1993 the defendant appeared in open court

without an attorney with his attorney James Shuffett and the court inquired of the defendant and his attorney whether they had any legal cause to show why judgment should not be pronounced, and afforded the defendant and his attorney the opportunity to make statements in the defendant's behalf and to present any information in mitigation of punishment, and the court having informed the defendant and his attorney of the factual contents and conclusions contained in the written report of the presentence investigation prepared by the Division of Probation and Parole and provided defendant's attorney with a copy of the report although not the sources of confidential information, the defendant agreed with the factual contents of said report was granted a hearing to controvert the factual contents of the report. Having given due consideration to the written report by the Division of Probation and Parole, and to the nature and circumstances of the crime, and to the history, character and condition of the defendant, the court is of the opinion:

that imprisonment is necessary for the protection of the public because:

 A there is a substantial risk that defendant will commit another crime during any period of probation, probation with an alternative sentencing plan, or conditional discharge.

- B. the defendant is in the need of correctional treatment that can be provided most effectively by the defendant's commitment to a correctional institution.
- C. probation, probation with an alternative sentencing plan, or conditional discharge would unduly depreciate the seriousness of the defendant's crime.
- D. the defendant is not eligible for probation, probation with an alternative sentencing plan, or conditional discharge because of the applicability of KRS 532.080 or KRS 533.060.
- that the defendant is eligible for probation, probation with an alternative sentencing plan, or conditional discharge as hereinafter ordered.

No sufficient cause having been shown why judgment should not be pronounced, it is ADJUDGED BY THE COURT that the defendant is guilty of the following charge(s):

Making a corporate contribution to a political campaign in violation of KRS 121.035(1)

and is sentenced to.

fine of \$ 5,000.00 to be paid Franklin Circuit Court Clerk.
 revocation of corporate charter, pretrial diversion of 33 months on Cts II & IV
 imprisonment for a maximum term of _____

and a fine of \$ _____ to be paid _____,
 probated/probated with an alternative sentence as stated in the attached Order of Probation. (No fine imposed on KRS Chapter 31 indigent defendant).

imprisonment for a maximum term of _____

and a fine of \$ _____ to be paid _____,
 conditionally discharged as stated in the attached Order of Conditional Discharge. (No fine imposed on KRS Chapter 31 indigent defendant).

imprisonment for a maximum term of _____ in

_____ (institution) to run concurrently

consecutively with a previous sentence imposed _____

It is further ORDERED that the defendant be delivered to the custody of the Corrections Cabinet at such location within this Commonwealth as the Cabinet shall designate.

It is further ORDERED that the defendant is hereby credited with time spent in custody prior to sentence, namely _____ days as certified by the jailer of _____ towards service of the maximum term of imprisonment (or toward payment of a fine at the rate of \$5 per day).

Mar 9, 1993

[Signature]
Judge

Judgment entered and notice of entry served on the defendant by mailing a true copy to defendant's attorney of record, James Shuffitt, postage prepaid, on

3/10, 1993

Janice Marshall Clerk

By: [Signature] D.C.

NOTE TO CLERK: If defendant is sentenced to death or confinement, give two certified copies of this judgment to the sheriff who delivers him to the institution. RCr 11.22.

SHERIFF'S RETURN

STATE OF KENTUCKY
COUNTY OF FRANKLIN

^{Circuit}
Janice Marshall, Clerk, Franklin District Court
Franklin County, State of Ky. and as such the custodian
of the records of, or appertaining to, said Court, do
hereby certify the foregoing to be a true and accurate
copy as the same appears in my office; in testimony
whereof, witness my hand this 5th day of
September 1993

Janice Marshall, Clerk, Franklin District Court
By: [Signature] Deputy Clerk