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FRANKLIN CIRCUIT COURT
AMY FELDMAN, CLERK

COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT
DIVISION II
CIVIL ACTION NO. 15-CI-687

ENTERED
FEB 15 2016
FRANKLIN CIRCUIT COURT
AMY FELDMAN, CLERK

INTERNATIONAL ASSOCIATION OF CERTIFIED
HOME INSPECTORS, ET AL.

PLAINTIFFS

v. AGREED ORDER HOLDING CASE IN ABEYANCE

CABINET FOR HEALTH AND FAMILY SERVICES, ET AL.

DEFENDANTS

The parties having entered into on-going dialogue, and negotiations, concerning revised regulations and related matters since their first meeting on September 29, 2015, and subsequent meetings to discuss resolution of some or all of the issues prior to submission of briefs; and having reason to believe that a settlement of the entire matter may be reached without the need for further proceedings; and having agreed to a process by which this matter may be resolved; the Court, being sufficiently advised, issues the following order:

Further briefing or related proceedings shall be held in abeyance pending the outcome of the current negotiations concerning proposed revised administrative regulations concerning the Kentucky Radon Control Program which upon agreement shall be submitted to the Kentucky Administrative Regulations Review Subcommittee. It is anticipated that such regulations may not be submitted until the adjournment of the Kentucky General Assembly. In the interim, even though revised regulations are not in effect, the parties agree that they will abide by the 'protocols' set forth in the agreed, proposed regulations. The parties also agree that the provisions of the radon regulations concerning unfair or deceptive business practices or other activities which endanger public health will be administered and enforced, consistent with the proposed, revised administrative regulations.

The Plaintiffs shall file their initial brief in support of the claims asserted in the herein action only if the current negotiations of the proposed revised administrative

regulations concerning the Kentucky Radon Control Program do not lead to submission of revised regulations which are agreeable to Plaintiffs and Defendants. Counsel for the parties shall certify to the Court in writing upon the occurrence of such an impasse and Plaintiff's initial brief shall be due within thirty (30) days after filing of such certification. Defendants shall file their response brief within thirty (30) days from the date of service of Plaintiffs' initial brief. Plaintiffs may file a reply brief within fifteen (15) days of service of Defendants' response brief. When all briefs are filed, the parties may contact the Court to schedule an oral argument, after which time the parties shall prepare and file the standard AOC notice of submission in accordance with the local rules of this Court.

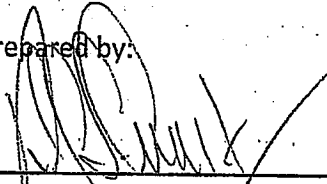
In the event of settlement the parties shall notify the Court so that the matter may be taken off the docket and an agreed order of dismissal will be entered.

So ORDERED, this 9 day of February, 2016.



Thomas D. Wingate
Judge, Franklin Circuit Court

Prepared by:



Richard L. Masters
Counsel for Plaintiffs

Have Seen and Agreed:



D. Brent Irvin
Counsel for Defendants