

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JACQUELINE CHESHER	:	Case No. C-1-01-566
	:	
Plaintiff,	:	Judge Spiegel
	:	
vs.	:	Magistrate Judge Hogan
	:	
TOM NEYER, JR., et al.,	:	STIPULATED JUDGMENT
	:	BETWEEN PLAINTIFFS AND
Defendants.	:	DEFENDANT THOMAS
	:	CONDON
	:	

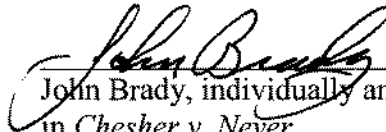
Pursuant to Fed R Civ Proc 23 and subject to the approval of the Court, the plaintiffs (*Chesher* class) and defendant Thomas Condon stipulate to this judgment in favor of the plaintiffs and against Thomas Condon in an amount equal to the average amount awarded by the jury against the other defendants or otherwise paid by them in *Chesher*. Further, Condon agrees not to appeal said judgment or seek a stay of execution of said judgment. Additional terms of judgment:


1. Condon hereby transfers to the *Chesher* class any ownership interest he claims, could claim, or in the future might claim in the photos of any and all deceased family members in the *Chesher* class.
2. Condon and his attorneys and agents hereby agree to remain under a lifelong duty to return to class counsel for the *Chesher* class all images, including but not limited to negatives, jpegs, prints, photographs, videos, and proofs, in any format, whether electronic or otherwise, of any and all deceased family members of the *Chesher* class. Counsel for Condon in his criminal case shall deliver all images to class counsel immediately after the criminal case is finally concluded.

3. Condon hereby stipulates that Condon, his wife, any children, and everyone acting in concert with him or his family shall never accept any money or things of value as compensation, either directly or indirectly, for performing any services or divulging any information regarding any photos or images of the deceased family members of the *Chesher* class or the story of his actions with respect to the deceased family members of the *Chesher* class.
4. Condon hereby agrees to provide a limited deposition in his bankruptcy proceeding no later than August 7, 2007 without assertion of his privilege under the Fifth Amendment.
5. Condon hereby agrees that, after full notice to the class and subject to approval of a stipulated judgment in the *Chesher* class action and in bankruptcy court proceedings, that he will provide a full deposition to all parties in the *Chesher* case without the assertion of his privilege under the Fifth Amendment prior to the class action trial.
6. Condon agrees that, upon dismissal of the *Chesher* appeal currently pending before the Sixth Circuit and the withdrawal of the objection by the *Chesher* Class to the conversion from Chapter 7 to Chapter 13, he will promptly present to the Bankruptcy Court an amended Chapter XIII plan incorporating the terms of this agreement and which addresses the terms of the stipulated judgment with respect to the class action (present by August 17, 2007).
7. Condon hereby agrees that he will remain in the Chapter 13 plan for at least 36 months.

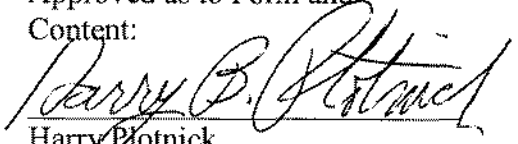
8. All parties have had the opportunity to consult with counsel regarding this stipulated judgment and enter into this stipulated judgment voluntarily, after a knowing and thorough study of the matter.



Thomas Condon


John Brady, individually and as class representative
in *Chesher v. Neyer*


Mary Smith, individually and as class representative
in *Chesher v. Neyer*

Approved as to Form and
Content:


Harry Plotnick
Bankruptcy Counsel, Thomas Condon


Alphonse A. Gerhardstein
Stanley Chesley
Paul DeMarco
Renee Infante
Jennifer Branch
Class Counsel, *Chesher v. Neyer*


Eric Goering
Bankruptcy Counsel for *Chesher* Class