

**IN THE COURT OF APPEALS OF TENNESSEE
MIDDLE SECTION AT NASHVILLE**

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|--|---|-----------------------|
| UNITED PHYSICIANS INSURANCE |) | |
| RISK RETENTION GROUP, by and |) | |
| through ELAINE A. MCREYNOLDS, |) | |
| Commissioner of Commerce and |) | |
| Insurance of the State of Tennessee |) | |
| and Liquidator for United Physicians Insurance |) | |
| Risk Retention Group, |) | |
| Plaintiff/Appellant, |) | |
| |) | |
| v. |) | Davidson Chancery |
| |) | No. 93-1608-I (III) |
| NICK BELISOMO, C. PHILIP CARTER, |) | Appeal No. |
| LOUIS F. COPPAGE, SAM DAVIS, SAM W. |) | 01-A-01-9505-CH-00189 |
| DOWNING, SALVATORE FISCINA, HUGH F. |) | |
| HILL, CHARLES HOLLEN, JOHN LYONS, |) | |
| HENRY C. MCCALL, MILLARD OAKLEY, |) | |
| STEVE TURNER, BOBBY WEBB, JAMES G. |) | |
| ZIMMERLY, AND HCM, INC., |) | |
| Defendants, |) | |
| |) | |
| JOHN M. FUHRMAN, ALLAN |) | |
| GIBOFSKY, RICHARD S. GOODMAN, |) | |
| CLAUDE T. MOORMAN, STEWART REUTER, |) | |
| DANIEL R. SHIREY, DONAL O'SULLIVAN, |) | |
| RICHARD TYLER, MICHAEL G. VICTOR, |) | |
| CYRIL H. WECHT, |) | |
| Defendants/Appellees. |) | |

ORDER

In response to the petition to rehear filed by appellees on October 23, 1995, the opinion of this Court filed on October 13, 1995, is amended in the following respects:

1. The last complete paragraph on page 8 is amended to read as follows:

The foregoing allegation includes the names of each of the appellees. The proposed third amended complaint was tendered on June 17, 1994, slightly over one year after the filing of the original complaint on June 3, 1993 and five months after the filing of the second amended complaint on January 3, 1994.

2. In the last partial paragraph on page 8, the last word in the first line is changed from "the" to "an," and the phrase "of her counsel" is stricken.

A revised copy of page 8 will be substituted for the original by the Clerk and will be furnished to the parties.

In all other respects, said petition to rehear is respectfully denied.

ENTER _____

HENRY F. TODD
PRESIDING JUDGE, MIDDLE SECTION

SAMUEL L. LEWIS, JUDGE

WILLIAM C. KOCH, JR., JUDGE