

THE CIRCUIT COURT OF THE  
15<sup>th</sup> JUDICIAL CIRCUIT IN AND FOR  
PALM BEACH COUNTY, FLORIDA

CASE NO: CA 02-02666AG

OFFICE OF THE ATTORNEY GENERAL  
DEPARTMENT OF LEGAL AFFAIRS,  
STATE OF FLORIDA, OFFICE OF THE  
COMPTROLLER, DEPARTMENT OF  
BANKING AND FINANCE,  
STATE OF FLORIDA,

Plaintiffs,

v.

SERVICE CORPORATION INTERNATIONAL  
a Texas corporation, and SCI FUNERAL SERVICES  
OF FLORIDA, INC., and a Florida corporation  
doing business as MENORAH GARDENS  
AND FUNERAL CHAPELS,

Defendants.

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THIRD ADDENDUM TO SETTLEMENT AGREEMENT DATED MAY 22, 2003

Plaintiffs, OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF LEGAL AFFAIRS, STATE OF FLORIDA, and the CHIEF FINANCIAL OFFICER, DEPARTMENT OF FINANCIAL SERVICES, STATE OF FLORIDA (f/k/a OFFICE OF THE COMPTROLLER, STATE OF FLORIDA), and the Defendants (collectively referred to as "SCI"), SERVICE CORPORATION INTERNATIONAL, a Texas corporation and SCI Funeral Services of FLORIDA, INC., a Florida corporation, by and through their respective undersigned

counsel, enter into this THIRD ADDENDUM TO SETTLEMENT AGREEMENT OF MAY 22, 2003, and such Settlement Agreement shall be amended as follows:

WHEREAS, the Plaintiffs and Defendants entered into a Settlement Agreement on May 22, 2003; and

WHEREAS, the Plaintiffs and Defendants entered into a Addendum to the Settlement Agreement on December 13, 2006; and

WHEREAS, the Plaintiffs and Defendants entered into a Second Addendum to the Settlement Agreement on or about January 7, 2008; and

WHEREAS, Chapter 497, Florida Statutes, governs the regulation and investigation of cemeteries within the State of Florida; and

WHEREAS, pursuant to the provisions of said statutes, the Department of Financial Services has the authority and responsibility to investigate and prosecute consumer complaints relating to fraud, deceit, theft, negligence, incompetence, unjustified failure to honor contracts or failure to adequately maintain the cemetery premises:

1. The Examiner, Richard O. Baldwin, Jr., appointed pursuant to paragraph 5 of the Settlement Agreement, has filed a satisfactory report with the Department of Financial Services wherein Mr. Baldwin affirms that remediation is complete at the Menorah Gardens West Palm Beach location.

2. The parties hereby agree that, pursuant to approval by the Court, Mr. Baldwin's appointment should be discharged with respect to the Menorah Gardens West Palm Beach location.

3. The parties also agree that, pursuant to the terms of the Settlement Agreement, Mr. Baldwin's appointment should continue with respect to the Menorah Gardens Fort Lauderdale location.

OFFICE OF THE ATTORNEY GENERAL  
The Capitol PL-01  
Tallahassee, FL 32399-1050

-and-

OFFICE OF CHIEF FINANCIAL OFFICER  
The Capitol PL-01  
Tallahassee, FL 32302

By: Diana Marr  
Diana Marr  
Division Director  
Funeral, Cemeteries & Consumer Services

By: John E. Hale  
John Hale, Esquire  
Division Director, Legal Services  
Florida Department of Financial Services

SERVICE CORPORATION INTERNATIONAL  
and SCI FUNERAL SERVICES OF FLORIDA INC.

By: Barry R Davidson  
Barry R. Davidson, Esquire  
Hunton & Williams, LLP  
1111 Brickell Avenue  
2500 Mellon Financial Center  
Miami, FL 33132

DONE AND ORDERED in Chambers, in West Palm Beach, Florida, this \_\_\_\_\_ of \_\_\_\_\_, 2008.

SIGNED & DATED

APR 30 2008

John J. Hoy **JUDGE JOHN J. HOY**  
Circuit Court Judge