

NINTH: That your Petitioners recommend to your Honorable Court that the property known as the "Dairy Lot" and on which the Excelsior Sanitary Dairy is operated and all equipment used in the operation of the said the Excelsior Sanitary Dairy be offered at sale as a whole and as a going concern since the dairy is now in operation and any severance of the real estate and the equipment used in the operation of the dairy would result in a substantially lower price being offered for the real estate located on the dairy lot.

TENTH: That your Petitioners in order to protect the said creditors and other parties in interest request your Honorable Court to pass an order directing that they advertise and offer for sale all the real estate, personal property, good will and trademarks, as well as any other assets of Charles F. Rothenhoefer, deceased, and his estate, and in particular the Excelsior Sanitary Dairy, a part of the estate of Charles F. Rothenhoefer, deceased, at public sale, as your Petitioners may deem to the best advantage of all parties concerned, with the further authorization to offer the "Dairy Lot" with the equipment used in the operation of the dairy and "Residence Lot" herein referred to jointly as well as separately, and with the authorization to offer the "Dairy Lot" as a going concern, that is to offer the "Dairy Lot" and the equipment used in the operation of the dairy jointly, as an entirety.

TO THE END THEREFORE:

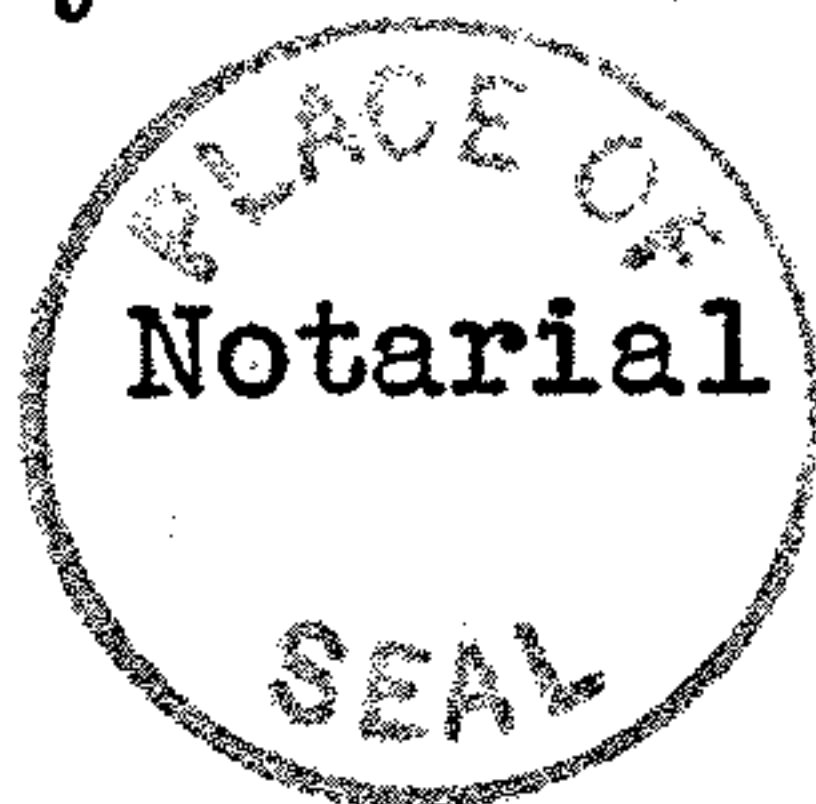
That your Honorable Court will pass an order directing the sale of the real estate and personal property, good will and trademarks, as well as any other assets of Charles F. Rothenhoefer, deceased, and his estate, and in particular the Excelsior Sanitary Dairy, a part of the estate of Charles F. Rothenhoefer, deceased, at public sale, as your Petitioners may deem to the best advantage of all parties concerned, with the further authorization to offer the "Dairy Lot" with the equipment used in the operation of the dairy and "Residence Lot" herein referred to jointly, as well as separately, and with the authorization to offer the "Dairy Lot" and the equipment used in the operation of the dairy jointly, as an entirety, and to direct them as to the terms and conditions of said sales.

Richard E. Zimmerman
Attorney for Receivers

STATE OF MARYLAND, FREDERICK COUNTY, TO-WIT:

I hereby certify that on this 1st day of June, in the year Nineteen Hundred and Forty-four, before me the Subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, duly commissioned and qualified, personally appeared William M. Storm, Benjamin B. Rosenstock and Walter E. Sinn, Receivers, and made oath in due form of law that the matters and things stated herein are true and complete to the best of their knowledge, information and belief.

Witness my hand and Seal Notarial the day and date above written.



Hettie A. Hahn
Notary Public

ORDER OF COURT

Upon the foregoing Petition and Affidavit, the above cause standing ready for hearing and being submitted, the Bill, Answer, Exhibits and all other proceedings by the Court having been read and considered, it is thereupon this 2nd day of June, in the year 1944, by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the authority thereof, ADJUDGED, ORDERED and DECREED that Benjamin B. Rosenstock, William M. Storm and Walter E. Sinn, Receivers in this proceeding, be and they are hereby authorized and directed to sell all the real estate and personal property, good will and trademarks, as well as any other assets of Charles F. Rothenhoefer, deceased, and his estate, and in particular the Excelsior Sanitary Dairy, a part of the estate of Charles F. Rothenhoefer, deceased,