

**STATE OF ARKANSAS  
SECURITIES DEPARTMENT**

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IN THE MATTER OF

ORDER PROVIDING A WAIVER OF  
CERTAIN PROVISIONS OF THE  
EXEMPTION PURSUANT TO ARK.  
CODE ANN. § 23-42-504(a)(9)

MEDICAL SERVICE CENTER  
OF HOT SPRINGS, LLC

\_\_\_\_\_

NO. 00-001-S

**FINDINGS OF FACT**

1. On January 4, 2000, a letter was received by the Arkansas Securities Commissioner requesting that the proposed sale of member interests (the "Interests") in Medical Service Center of Hot Springs, LLC (the "Property Company") to certain qualifying physicians (the "Transaction") of Ouachita Land Association, Inc. (the "OLA") be determined to be an exempt transaction pursuant to Ark. Code Ann. § 23-42-504(a)(9).

2. OLA currently owns the property, which the Company will acquire and lease to Ouachita Regional Diagnostic & Surgery Center, Inc. (the "Operating Company").

3. The Property Company is an Arkansas limited liability company.

4. The Property Company and the Operating Company filed a proof of exemption pursuant to Ark. Code Ann. § 23-42-504(a)(9) and Rule 504.01(A)(9) of the Rules of the Arkansas Securities Commissioner (the "Rules").

5. Pursuant to Rule 504.01(A)(9)(b), the Property Company has requested a waiver of the requirement that the investment not exceed twenty percent (20%) of any unaccredited purchaser's net worth (net worth includes home, furnishings and automobiles) due to the fact that the investors may be new physicians who do not meet the suitability requirements.

**CONCLUSIONS OF LAW**

1. Pursuant to Rule 504.01(A)(9)(a), the Commissioner may waive any such requirements of Rule 504.01(A) (9) that apply to offerings of securities.

2. It is not necessary or appropriate in the public interest for the protection of investors for the Property Company to be required to register the Transaction under the Act for the purposes of the contemplated offering.

**OPINION**

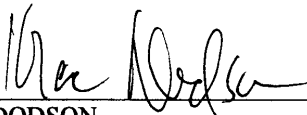
In recognition of the representations made by the Property Company, it appears registration of this Transaction is unnecessary in this instance.

This order does not exempt the Property Company from the antifraud provisions of the Act.

**ORDER**

**IT IS THEREFORE ORDERED** that any Interests of Medical Service Center of Hot Springs, LLC, offered or sold in Arkansas for the proposed Transaction, if offered and sold in compliance with the representations made in the letter of January 4, 2000 and in accordance with the Findings of Fact stated herein, shall be exempted from Sections 23-42-501 and 23-42-502 of the Act.

WITNESS MY HAND AND SEAL this 19<sup>th</sup> day of January, 2000.

  
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MAC DODSON  
SECURITIES COMMISSIONER