

IN THE COMMON PLEAS COURT OF  
FRANKLIN COUNTY, OHIO

MARY JO HUDSON, Ohio Superintendent of Insurance, in her capacity as Liquidator of DayMed Health Maintenance Plan, Inc.,  
Plaintiff,  
v.  
DayMed Health Maintenance Plan, Inc.,  
Defendant.

Case No. 99CVH03-01866  
Judge John F. Bender

FILED  
COMMON PLEAS COURT  
FRANKLIN COUNTY, OHIO  
2009 APR -9 AM 10:38  
CLERK OF COURTS

**MOTION FOR APPROVAL OF PERIODIC ACCOUNTING OF LIQUIDATOR  
FOR THE PERIOD OF JULY 1, 2008 THROUGH DECEMBER 31, 2008**

Plaintiff, Mary Jo Hudson, Ohio Superintendent of Insurance, in her capacity as Liquidator of DayMed Health Maintenance Plan, Inc. (the "Liquidator"), moves this Court for an Order approving the Statement of Receipts and Disbursements of the Liquidator for the period July 1, 2008 through December 31, 2008, as set forth in the attached Exhibit A. The grounds in support of this Motion are set forth in the accompanying Memorandum in Support.

Respectfully submitted,

RICHARD CORDRAY  
Attorney General State of Ohio

By Outside Counsel:  
KEGLER, BROWN, HILL & RITTER, CO. L.P.A.

  
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## MEMORANDUM IN SUPPORT

This Motion is brought by the Liquidator requesting that this Court approve the Statement of Receipts and Disbursements of the Liquidator for the period July 1, 2008 through December 31, 2008. These receipts and expenditures are described and set forth in the attached Exhibit A.

By Order of this Court entered on March 4, 1999, the Ohio Superintendent of Insurance was appointed Liquidator of DayMed Health Maintenance Plan, Inc. ("DayMed") and was empowered, authorized and directed to liquidate all of the property and assets of DayMed in accordance with the laws of Ohio and under the continuing jurisdiction of this Court. As part of the liquidation, the Liquidator collects all debts and moneys due DayMed, and makes payment of necessary expenses. R.C. 3903.21(A)(4) provides, in pertinent part, that the Liquidator may:

Pay reasonable compensation to persons appointed and defray from the funds or assets of the insurer all expenses of taking possession of, conserving, conducting, liquidating, disposing of or otherwise dealing with the business and property of the insurer.

Section 3903.42(A) of the Ohio Revised Code provides that the expenses of administration be given first priority in the distribution of assets.

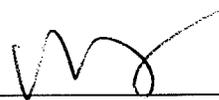
The Liquidator is also required by R.C. 3903.18(E) to periodically account to the Court, throughout the pendency of the DayMed liquidation proceedings, to be submitted in the form attached hereto as Exhibit A. Such accountings may assist the Court in monitoring the progress and status of the liquidation, and in particular, the receipts and disbursements in the DayMed proceedings.

WHEREFORE, for the reasons outlined above, the Liquidator respectfully requests the Court to approve the attached Statement of Receipts and Disbursements of the Liquidator for the period July 1, 2008 through December 31, 2008, as set forth in the attached Exhibit A.

Respectfully submitted,

RICHARD CORDRAY  
Attorney General State of Ohio

By Outside Counsel:  
KEGLER, BROWN, HILL & RITTER, CO. L.P.A.



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Liquidator of DayMed Health Maintenance Plan, Inc.  
Statement of Receipts and Disbursements  
For the Period 07/01/08 to 12/31/08

	CASH	SECURITIES	TOTAL
Balance at 6/30/08	50,076.22	8,494,000.00	8,544,076.22
<b>RECEIPTS</b>			
Investment Proceeds Repo Agreement (Note 1)	8,494,000.00	(8,494,000.00)	0.00
Interest/Dividend Income	46,488.86	0.00	46,488.86
PPC Intercompany Reimbursement of Expenses from Prior Period	165.73	0.00	165.73
Proceeds from Sale of Assets	25.10	0.00	25.10
<b>TOTAL RECEIPTS</b>	<b>8,540,679.69</b>	<b>(8,494,000.00)</b>	<b>46,679.69</b>
<b>DISBURSEMENTS</b>			
Investment Purchases in Money Market (Note 2)	8,445,137.49	(8,445,137.49)	0.00
Salaries:			
Chief Deputy Liquidator	2,116.10	0.00	2,116.10
Deputy Liquidators	8,385.09	0.00	8,385.09
Employee Wages, Taxes, & Benefits	26,297.73	0.00	26,297.73
Legal Expense	10,741.99	0.00	10,741.99
General Operating Expense	25,352.56	0.00	25,352.56
<b>TOTAL DISBURSEMENTS</b>	<b>8,518,030.96</b>	<b>(8,445,137.49)</b>	<b>72,893.47</b>
Balance at 12/31/08	<u>72,724.95</u>	<u>8,445,137.49</u>	<u>8,517,862.44</u>

Note 1: The captions "Investment Proceeds in Repo Agreements" or "Investment Purchases in Repo Agreement" represent the difference between total repurchase sales and purchases for the reporting period.

Note 2: The captions "Investment Proceeds in Money Market" or "Investment Purchases in Money Market" represent the difference between total money market sales and purchases for the reporting period.