

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO

FILED
COMMON PLEAS COURT
FRANKLIN CO. OHIO
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CLERK OF COURTS

MARY TAYLOR, Ohio Superintendent of
Insurance, in her capacity as Liquidator of
LMI Insurance Company,

Plaintiff,

v.

LMI Insurance Company,

Defendant.

Case No. 00CVH03-2431

Judge Charles A. Schneider

**ORDER GRANTING LIQUIDATOR'S MOTION FOR APPROVAL OF THE
LIQUIDATOR'S CALCULATION AND PAYMENT OF THE THIRD EARLY ACCESS
PAYMENT TO THE GUARANTY ASSOCIATIONS AND THE LIQUIDATOR'S FIRST
FINAL REPORT OF NON-GUARANTY ASSOCIATION CLASS 2 POLICYHOLDER
LEVEL CLAIMS AND FIRST INTERIM DISTRIBUTION TO NON-GUARANTY
ASSOCIATION CLASS 2 CLAIMANTS**

This matter came to be heard upon the Liquidator's Motion for Approval of the Liquidator's Calculation and Payment of the Third Early Access Payment to the Guaranty Associations and the Liquidator's First Final Report of Non-Guaranty Association Class 2 Policyholder Level Claims and First Interim Distribution to Non-Guaranty Association Class 2 Claimants pursuant to R.C. 3903.42, 3903.43, and related sections. Upon consideration of the Liquidator's Motion, Memorandum in Support, Exhibits, including the Liquidator's Reports of Claims in Class 2 attached to the Liquidator's Motion, the Court finds that good grounds exists for the Motion and that the Motion is well-taken, and, it is hereby ORDERED, ADJUDGED and DECREED as follows:

- (a) The Liquidator provided the Liquidator's Motion to The United States Department of Justice ("DOJ") and notified the DOJ that the Motion would be

presented to this Court of November 15, 2011. There are no filed objections to the Liquidator's Motion.

- (b) The Liquidator's Motion for Approval of the Liquidator's Calculation and Payment of the Third Early Access Payment to the Guaranty Associations and the Liquidator's First Final Report of Non-Guaranty Association Class 2 Policyholder Level Claims and First Interim Distribution to Non-Guaranty Association Class 2 Claimants is GRANTED.
- (c) The Liquidator's Report of Guaranty Associations' Class 1 Administrative Expense Claims and Class 2 Policyholder Level Claims and Third Early Access Payment to Guaranty Associations attached as Exhibit A to the Motion, and detailed in Exhibit B to the Motion, is hereby approved. The calculation of the amounts and allocation of the First, Second and Third Early Access Payments, as set forth in Exhibits A and B to the Motion, are hereby approved. Further, the Liquidator's calculation of the amount of payment each Guaranty Association should receive, as set forth in Exhibits A and B to the Motion, is hereby approved
- (d) The Liquidator's First Final Report Non-Guaranty Association Class 2 Policyholder Level Claims attached as Exhibit C to the Motion, including the classification of each claim and the determinations of the amount of each claim as set forth therein is hereby approved. Further, the Liquidator's calculation of the amount each claimant should receive as a First Interim Distribution, as set forth in Exhibit C to the Motion, is hereby approved.

(e) The Liquidator is hereby authorized to make the a Third Early Access Payment in the amount as specifically set forth in Exhibits A and B to the Motion to each respective Guaranty Association that has signed and returned the Agreement between the Liquidator and the Guaranty Associations, as provided in the Plan and R.C. 3903.34(B) (4).

(e) The Liquidator is authorized to make a First Interim Distribution to allowed Class 2 claimants identified on Exhibit C to the Motion as specifically reflected in Exhibit C to the Motion.

It is so ORDERED.

Charles A. Schneider, JUDGE

APPROVED:

MIKE DEWINE
Attorney General State of Ohio

By Special Counsel:
CARLILE PATCHEN & MURPHY LLP



Dennis J. Conbilla (0012254)
djcc@cpmlaw.com
Carl A. Aveni, II (0070664)
caa@cpmlaw.com
Scott R. Mergenthaler (00122869)
srm@cpmlaw.com
366 East Broad Street
Columbus, Ohio 43215
Telephone: (614) 228-6135
Facsimile: (614) 221-0216
*Attorneys for Mary Taylor, in her capacity as
Liquidator of LMI Insurance Company*