

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO  
CIVIL DIVISION

C1113H01

Ann H. Womer Benjamin,  
Superintendent, Ohio Department  
of Insurance, in her Capacity as  
Liquidator of The Estate of  
Proliance Insurance Company

JUDGE JULIE LYNCH

Plaintiff,

CASE NO. 00CVH12 11391

v.

Proliance Insurance Co.

Defendant.

**ENTRY GRANTING MOTION OF THE LIQUIDATOR FOR APPROVAL  
OF THE CALCULATION AND PAYMENT OF THE SECOND  
EARLY ACCESS PAYMENT TO THE GUARANTY FUNDS**

This matter came before the Court upon the Motion and Accompanying Memorandum of the Liquidator for Approval of the Calculation and Payment of the Second Early Access Payment to the Guaranty Funds (the "Motion"). In the Motion, the Liquidator seeks the approval of the calculation and then the payment to The Ohio Insurance Guaranty Associations (the "Guaranty Associations") of the second cash disbursement out of marshaled assets (the "Early Access Payment") to be made pursuant to the Plan for disbursement of Proliance Assets to Guaranty Associations pursuant to ORC § 3903.34 (the "Plan"). It appears to the Court that the Plan was approved by order of this Court, entered on October 3, 2001. It further appears to this Court that the Liquidator has calculated the total amount of the Early Access Payment, which calculation was attached to the Motion as Exhibit A.

Notice of the Motion was given to all creditors and parties in interest pursuant to the scheduling of the continuous hearings in this matter as approved by this Court in the Order Approving Notice of Liquidation Continuing Hearing and Time for filing proofs of

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claim with the Liquidator entered June 6, 200... In addition, notice of this Motion was given to the Guaranty Association.

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No objection to the Motion was presented either before or at the scheduled hearings on the Motion. It appears to the Court that the Motion is well taken and should be granted in its entirety.

IT IS ORDERED that the Liquidator's calculation of the amount of the second Early Access payment, as set forth in Exhibit A attached to the Motion is hereby APPROVED. Furthermore, the Liquidator's calculation of the amount of payment the Guaranty Associations should receive is APPROVED to the extent that the guaranty Association has not already received or are entitled to receive funds equal to or in excess of the amount.

\_\_\_\_\_  
Date

Submitted by:

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**ATTORNEY GENERAL OF OHIO**

**By Special Counsel:**  
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JUDGE JULIE LYNCH

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