

IN THE COURT OF COMMON PLEAS FRANKLIN COUNTY, OHIO

FILED
CLERK OF COURTS
2010 DEC -6 PM 12:22

MARY JO HUDSON, Ohio Superintendent of Insurance, in her capacity as Liquidator of Proliance Insurance Company,

Plaintiff,

v.

Proliance Insurance Company,

Defendant.

Case No. 00CVH12-11391

Judge Julie M. Lynch

MOTION FOR AN ORDER APPROVING LIQUIDATOR’S REPORT OF CLAIMS IN CLASSES 1-6 AND AUTHORIZING A DISTRIBUTION OF ASSETS, AND ESTABLISHING JANUARY 3, 2011 AS THE ABSOLUTE FINAL BAR DATE

Mary Jo Hudson, Ohio Superintendent of Insurance, in her capacity as Liquidator (the “Liquidator”) of Proliance Insurance Company (“Proliance”), hereby moves this Court pursuant to R.C. 3903.42, 3903.43 and 390.3.44 and related sections, for an Order approving the Liquidator’s Report of Claims in Classes 1 through 6 (as defined in R.C. 3903.42), including the determinations of the amounts and classes of each claim and authorizing the Liquidator to make a 100% final distribution of Proliance assets to claimants holding those claims as set forth in Exhibit A attached and hereby incorporated by reference into this Motion. The Liquidator further moves this Court for an Order that:

(a) Establishes January 3, 2011 as the Absolute Final Bar Date in the Proliance liquidation proceeding for the receipt by the Liquidator of late (filed after the April 24, 2002 Bar Date) claims against Proliance (the “Absolute Final Bar Date”);

(b) Directs that all Blanket Proofs of Claim, Unspecified Claims and Future Claims, as defined in the Motion, shall not at this juncture be permitted to be filed;

(c) Approves the form of Notice of the Absolute Final Bar Date attached and hereby incorporated by reference into this Motion as Exhibit B;

(d) Directs that the Liquidator to mail the Notice by first class United States mail, postage prepaid, within one (1) business days of its receipt of the Court's Order approving this Motion to the last known address, as indicated in Proliance's or the Liquidator's records (unless notices previously sent to such addresses were returned to the Liquidator), to the persons identified in the Motion, who are primarily persons who were issued Proof of Claim forms years ago but who did not return a claim form before the April 24, 2002 Bar Date;

(e) Directs that the Liquidator publish the Notice in *The Columbus Dispatch* on one Saturday or Sunday on or prior to December 12, 2010;

(f) Directs that the Liquidator post the Notice of the Liquidator's website, www.ohliq.com, under Open Liquidations – Proliance Insurance Co., within one (1) business day of its receipt of the Court's Order approving this Motion;

(g) Approves the Liquidator's determination in furtherance of closing the Estate not to exercise her discretion to accept after the Absolute Final Bar Date any Proof of Claim forms in the Proliance liquidation proceeding, and authorizes the Liquidator to reject any attempted filing of a claim after the Absolute Final Bar Date. Accordingly, the Liquidator will advise the claimant that the claim will NOT be considered by the Liquidator and shall be treated as if no claim was filed and that the claimant attempting to present such a late-filed claim after the Absolute Final Bar Date shall not be entitled to any further consideration, and also authorizes the Liquidator to reject any requests for a proof of claim form after the Absolute Final Bar Date;

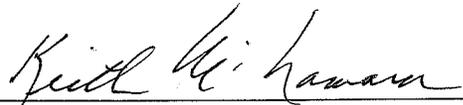
(h) Orders that, if the Notice is sent to the last known address provided to the Liquidator by the claimant or in the company's records is returned as undeliverable because the addressee

has moved without providing a forwarding address as required by statute and the Liquidator has not been able through reasonable internet research and telephone attempts to locate a valid address for the claimant, then this should be noted in Proliance's records and any subsequent mailings or notices, whether ordered by the Court or otherwise, need not be sent to such address, and further orders that the Liquidator shall have no further obligation to attempt to locate another address.

Respectfully submitted,

RICHARD CORDRAY
Attorney General of Ohio

By Special Counsel:
McNamara & McNamara

By: _____

Keith McNamara (0001098)
Jonathan Bryan (0065032)
88 E. Broad Street, Suite 1250
Columbus, Ohio 43215
Telephone: (614) 228-6131
Facsimile: (614) 228-6126
kmcnamara@mcnamaralaw.us

*Attorneys for Mary Jo Hudson, in her capacity as
Liquidator of Proliance Insurance Company*

MEMORANDUM IN SUPPORT

I. Introduction

On April 24, 2001, this Court issued an Order placing Proliance Insurance Company (“Proliance”) in liquidation pursuant to Chapter 3903 of the Ohio Revised Code and set April 24, 2002 as the deadline for filing timely proofs of claims (“Bar Date”). Since then, the Liquidator mailed 7,608 notices and proof of claim forms; thoroughly reviewed the books and records of Proliance; identified and collected, where reasonable, all known assets of Proliance; and reviewed, valued and classified all timely-filed proofs of claim in the Proliance liquidation in accordance with R.C. Chapter 3903, particularly R.C. 3903.39, 3903.42 and 3903.43. The Liquidator requests authority to pay allowed claims in Classes 1-6 according to the classifications set forth in R.C. 3903.42 (summarized below) and take other steps necessary to close this liquidation case.

II. Report of Claims in Classes 1-6 and Distribution of Proliance’s Available Assets

R.C. 3903.42 establishes the priority classification of claims in an insurance liquidation case. The statute establishes nine classes of claims, as summarized in more detail below. At this time, the Liquidator is prepared, with the approval of this Court, to make a final distribution of available assets of Proliance to allowed claimants in Classes 1 through 6. As a practical matter, this results in payment to allowed Class 2 and Class 5 Claimants listed in the Liquidator’s Report of Claims (Exhibit A) because Class 1 claims (administrative expenses) are paid as they are incurred and there are no Class 3, Class 4 or Class 6 claimants in this liquidation.

Class 2 claims are defined by R.C. 3903.42 as “all claims under policies for losses incurred, including third party claims...” In this case, as in others where there is guaranty fund protection to pay covered claims under policies, the proof of claim filed on behalf of the IGAs is

the largest Class 2 claim against the estate. IGAs expend monies to pay policyholder claims long before resolution of the ultimate financial condition of the liquidating insurer's estate. In turn, IGAs are granted Class 1 and Class 2 priority claim status in the liquidation estate. *See* R.C. 3903.42 Class 1 claims include the IGAs' reasonable expenses in handling claims. *See* RC 3903.42(A). The IGAs' Class 2 claims include all insured loss claims paid by the IGAs. *See* RC 3903.42(B).

Proliance only wrote insurance business in Ohio. Therefore, only one insurance guaranty association, the Ohio Insurance Guaranty Association (the "OIGA"), became statutorily obligated to administer/process and pay Proliance's Class 2 (policyholder) claims after its liquidation up to the IGA's applicable statutory limits. The minimum guaranty association limit is \$100,000 per policyholder.

With this Court's prior approval, the Liquidator made two early access distributions pursuant to the requirements of R.C. 3903.34 from 2001 through 2006 to the OIGA totaling \$603,897.00. Of the total \$603,897.00 disbursed, \$226,350.93 was in payment of the OIGA's Class 1 administrative expenses, and \$377,546.07 was in payment of the OIGA's Class 2 claims for the IGA's claims payments made or to be made to Proliance insureds, who are also Class 2 claimants.

Policyholders whose claims exceed guaranty association limits received additional notice that they could file a proof of claim with the Liquidator on or before the April 24, 2002 bar date for the excess loss. 137 Class 2 proofs of claims were filed by policyholders whose claims were not fully covered by the OIGA. The Liquidator determined these claims and collectively valued them at \$147,888.67, as evidenced by the attached Exhibit A-2.

Class 3 claims are defined by R.C. 3903.42 as "claims of the federal government." On

July 17, 2007, this Court approved an agreement between the Federal Government (by statute, the only Class 3 Claimant) and the Liquidator by which the Federal Government released the Liquidator and the estate of Proliance from any liability in connection with the Proliance liquidation. Thus, as evidenced by the attached Exhibit A-3, no Class 3 claims were filed against the Proliance estate.

Class 4 claims are defined by R.C. 3903.42 as “debts due to employees for services performed to the extent that they do not exceed one thousand dollars and represent payment for services performed within one year before the filing of the complaint for liquidation.” As evidenced by the attached Exhibit A-4, no such claims were filed against the Proliance estate.

Class 5 claims are defined by statute as “claims of general creditors.” The Liquidator determined 95 such claims. The allowed Class 5 claims are collectively valued at \$272,551.69, as evidenced by the attached Exhibit A-5.

Class 6 claims are defined by statute as “claims of any state or local government.” As evidenced by the attached Exhibit A-6, no such claims were filed against the Proliance estate.¹

The Liquidator is prepared, with the approval of this Court, to make a final 100% distribution from Proliance’s remaining available assets to claimants holding allowed claims in Classes 1-6 as listed in the Liquidator's Report of Claims (Exhibit A). The amount to be distributed to each claimant is reflected in Exhibit A-2 and Exhibit A-5. Consistent with the Liquidator’s practice in other recent cases, the names and address of the claimants are redacted in the Liquidator's Report of Claims based on claimant complaints the Liquidator received in

¹ R.C. 3903.42(G) defines Class 7 claims as, “claims filed late [*i.e.*, after the Bar Date] or any other claims other than claims in division (H) or (I) of this section. R.C. 3903.42(H) defines Class 8 claims as “surplus or contribution notes, or similar obligations, and premium refunds on assessable policies. . . .” R.C. 3903.42(I) defines Class 9 claims as “claims of shareholders or other owners.”

other cases wherein several claimants reported that they were had been contacted and questioned by claims buyers, neighbors, and others in connection with distributions. The Liquidator is indeed attempting to respond to and protect all claimants by redacting their contact information in the Reports of Claims in this and other liquidation cases. The claimants' names and address will be disclosed *in camera* to the Court and filed under seal with the Court to comply with the requirements of R.C. 3903.43.

The Liquidator will also post on her website at www.ohliq.com under Open Liquidations – Proliance Insurance Co., this Motion and the Exhibits. The Exhibit A, the Liquidator's Report of Claims, will be posted in on the Liquidator's website in the form of a searchable PDF so that claimants can search for information about their claims using their Proof of Claim (Liquidator) Number. The website also explains that claimants may call the Liquidation Office if they have questions about the Report or their claim.

III. Absolute Final Bar Date for Filing Proofs of Claim in Classes 7, 8 and 9

There has been no adjustment in the proof of claim filing deadline in the Proliance liquidation proceeding. The deadline of April 24, 2002 was established by this Court pursuant to R.C. 3903.22. While people may still file claims if they choose, all claims filed after April 24, 2002 will be late filed because they are after the bar date. As such, all claims filed after April 24, 2002 and prior to the Absolute Final Bar Date will be classified and paid as Class 7 (late filed) claims or at a lower priority (Class 8 or 9). *See* footnote 1, *supra*; *see also* R.C. 3903.35(B),(D); 3903.42.

In this case, an absolute final bar date must be established after which no further claims, including late claims, will be permitted in order to close the liquidation case. The Liquidator

requests that this Court set January 3, 2011 as the absolute final bar date in this case and further order that the Liquidator shall reject any and all previously unfiled "Blanket Proofs of Claims", "Future Claims," and "Unspecified Claims " filed between now and the Absolute Final Bar Date.²

As background, on April 24, 2001, the Court entered its Agreed Order of Liquidation and Appointment of Liquidator for Proliance Insurance Company ("Proliance"). On June 6, 2001,

² A "Blanket Proof of Claim" is a proof of claim that includes the following features: (1) the claimant did not provide specific information relating to a claim or cause of action; and (2) the claimant evidences some intent that the POC covers or asserts a claim that might occur or arise after the submission of the Blanket Proof of Claim, including a Future Claim. There is authority suggesting that the statutes do not authorize these types of claims. Even so, they are typically filed by IGAs. These types of claims should have been filed long before now and as such new claims of this nature would NOT be allowed or accepted pursuant to the requested Order required to facilitate closure of the estate.

An "Unspecified Claim" is a demand or right of action, whether or not the claimant asserts that it has been reported to the Liquidator under a POC or Blanket Proof of Claim, that includes: (a) demands that are not capable of being Perfected by January 3, 2011; (b) rights of action that have accrued but the liability has not been determined or the amount thereof liquidated and the claimant has not Perfected the claim by January 3, 2011; (c) demands where the Proliance insured or Liquidator has received reports or notices, whether or not formal demands for payment were included, on the basis that a demand or claim may mature at some point; (d) demands asserted in litigation with the Proliance insured that are reopened and reported after January 3, 2011; and/or (e) claims of minors not asserted or Perfected on or before January 3, 2011. These types of claims should have been filed long before now and as such new claims of this nature would NOT be allowed or accepted pursuant to the requested Order. These types of claims should have been filed long before now and as such new claims of this nature would NOT be allowed or accepted pursuant to the requested Order. An "Unspecified Claim" does not include a contingent claim described under R.C. 3903.37, provided that on or before January 3, 2011 the Liquidator is provided with sufficient information under R.C. 3903.36 for the Liquidator to determine and allow the claim.

A "Future Claim" is a claim that may be filed in the future that includes one or more of the following features: (a) the claim arises after January 3, 2011; (b) the facts surrounding the claim are presently unknown to the Liquidator and/or the claimant whether or not intended to be set forth within a Blanket Proof of Claim; and (c) the claim has yet to be asserted against a Proliance insured and/or the Liquidator. These types of claims should have been filed long before now and as such new claims of this nature would NOT be allowed or accepted pursuant to the requested Order.

A "Perfected Claims" is a proof of claim that is provided to the Liquidator by January 3, 2011 and contains sufficient information and documentation describing the facts of the claim, including but not limited to: (a) a detailed statement describing the claim; (b) a detailed statement describing the dollar value of the claim; (c) documents evidencing damage; and (d) all other information or documents helpful to proving the claim, all as required by R.C. 3903.36 and the instructions to the POC form. These claims are the only claims that will be accepted and adjudicated pursuant to the requested Order.

the Court entered its Order Approving Notice of Liquidation, Continuing Hearing Procedure and Time for Filing Proofs of Claim with the Liquidator (the "Bar Date Order") and set April 24, 2002, as the date by which all POCs must be filed with the Liquidator in the Proliance liquidation proceedings (the "Bar Date"). The Court also approved the form of notice to all creditors of the Proliance liquidation of the procedures for filing a proof of claim and the Bar Date (the "Notices"). Pursuant to R.C. 3903.22, the Liquidator mailed over 7608 Notices to all persons known or reasonably expected to have claims against Proliance, including all policyholders. In pertinent part, the Notices informed insureds, policyholders, and claimants that the Liquidation Court had further ordered that all persons having claims against the assets of Proliance had to file such claims with the Liquidator on Proof of Claim forms on or before April 24, 2002 for the claim to be timely. In addition, postings were made on the Internet, including a continual posting on the Liquidation Office website at www.ohliq.com; and, information and publicity concerning this case has circulated through the media in Ohio. Subsequently, the Liquidator mailed proof of claim forms with filing instructions and further notice of the Bar Date to the same 7,608 potential claimants of Proliance. As a result, the Liquidator believes that essentially all potential claimants of Proliance received notice of the liquidation and Bar Date sufficient to enable them to file a timely proof of claim or take other appropriate action to protect their own interest.

Only 239 claimants returned timely proofs of claims against the Proliance estate. Even after paying all of the allowed, timely-filed claims in Classes 1-6 at 100%, the Liquidator will hold remaining assets of approximately \$436,000 due in part to more recent recovery of additional sums due Proliance in the sum of \$472,776.61. The Liquidator therefore wishes to

provide one last opportunity through the establishment of an absolute final bar date for claimants to file late proofs of claims (other than "Blanket," "Unspecified" or "Future" claims) against the Proliance estate so that she may make a final distribution to allowed claimants in Classes 7, 8 and 9 and close the estate.

IV. Notice to Claimants of Absolute Final Bar Date (Exhibit B)

The Notice provides will provide the necessary information to potential claimants that that January 3, 2011 will be the absolute final bar date; the Liquidator will not exercise her discretion to accept any claims after the Absolute Final Bar Date; and, any and all Unperfected, Unspecified, Blanket and Future Claims are barred.

The Notice, once approved, and a proof of claim form will be mailed by first class United States mail, postage prepaid, within one business day of the Court's approval of this Motion to the last known address as indicated in Proliance's records or the records of the Liquidator (unless notices previously sent to such addresses were returned to the Liquidator), to the following groups of persons:

1. All known insurance producers or agents of Proliance who, although notified years ago, did not return a proof of claim form for filing against the Proliance estate;
2. All known former officers and directors of Proliance who, although notified years ago, did not return a proof of claim form for filing against the Proliance estate;
3. All known general creditors which Proliance's books and records reveal have, or may have, claims against Proliance, its property or assets that, although notified years ago, did not return a proof of claim form for filing against the Proliance estate.
4. Proliance Capital Corporation which the records in the possession of the Liquidator show is the sole shareholder of Proliance as well as known

investors, many of whom are also above-referenced agents or officers/directors of Proliance.

The Liquidator proposes not to mail the Notice to policyholder because the policies were cancelled within 30 days of liquidation and covered policy claims were paid by the OIGA long ago and the uncovered portion of policyholder claims will be paid on the requested distribution to Classes 1-6. However, the Liquidator will also post the Notice on the her website, www.ohliq.com, under Open Liquidations – Proliance Insurance Co., within one business day of her receipt of the Court’s approval of this Motion.

The Liquidator also asks the Court to approve, as an administrative matter, that if any Notice sent to the last known address, either provided to the Liquidator by a claimant or in the company’s records, is returned as undeliverable because the addressee has moved without providing a forwarding address as required by statute and the Liquidator has not been able through reasonable internet research and telephone attempts to locate a valid address for the claimant, then this should be noted in Proliance’s records and any subsequent mailings or notices, whether ordered by the Court or otherwise, need not be sent to such address, and further orders that the Liquidator shall have no further obligation to attempt to locate another address. This procedure is also critical to a proper and efficient administration of this liquidation case, as otherwise limited staff resources would be utilized and expense incurred in trying to locate creditors who have failed to keep Proliance or the Liquidator informed of their whereabouts.

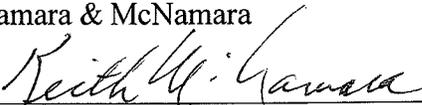
V. Conclusion

For the foregoing reason, the Liquidator respectfully requests that this Court grant the Motion and enter the proposed Order.

Respectfully submitted,

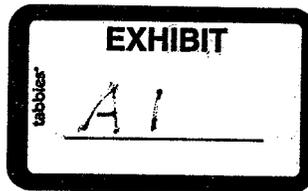
RICHARD CORDRAY
Attorney General of Ohio

By Special Counsel:
McNamara & McNamara

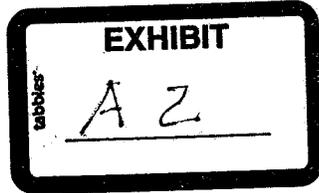
By: 
Keith McNamara (0001098)
Jonathan Bryan (0065032)
88 E. Broad Street, Suite 1250
Columbus, Ohio 43215
Telephone: (614) 228-6131
Facsimile: (614) 228-6126
kmcnamara@mcnamaralaw.us

*Attorneys for Mary Jo Hudson, in her capacity as
Liquidator of Proliance Insurance Company*

Liq#/Seq#	Claim#	Payee/Address	Determined Value	Distribution %	Total Distribution Payment	Less: Prev Payments/Allow	Check Amount
34007438	01		.00	100.0000%	.00	.00	.00
97000260	01		226,350.93	100.0000%	226,350.93	226,350.93	.00
Grand Totals:			\$226,350.93		\$226,350.93	\$226,350.93	\$.00



Liqt/Seq#	Claim#	Payee/Address	Determined Value	Distribution %	Total Distribution Payment	Less: Prev Payments/Allow	Check Amount
34000011	01	5447	.00	100.0000%	.00	.00	.00
34000028	01	8204	.00	100.0000%	.00	.00	.00
34000047	01	8534	.00	100.0000%	.00	.00	.00
34000060	01	7652	.00	100.0000%	.00	.00	.00
34000064	01	7652	.00	100.0000%	.00	.00	.00
34000066	01	7652	.00	100.0000%	.00	.00	.00
34000073	01	6126	.00	100.0000%	.00	.00	.00
34000078	01	6126	.00	100.0000%	.00	.00	.00
34000081	01	5891	.00	100.0000%	.00	.00	.00
34000082	01	7364	.00	100.0000%	.00	.00	.00
34000093	01	6406	.00	100.0000%	.00	.00	.00
34000100	01	8606	.00	100.0000%	.00	.00	.00
34000102	01	6515	.00	100.0000%	.00	.00	.00
34000104	01	6679	.00	100.0000%	.00	.00	.00
34000106	01	6515	.00	100.0000%	.00	.00	.00
34000123	01	5674	.00	100.0000%	.00	.00	.00
34000126	01	8527	.00	100.0000%	.00	.00	.00
34000129	01	8527	.00	100.0000%	.00	.00	.00
34000137	01	7450	3,389.36	100.0000%	3,389.36	.00	3,389.36
34000142	01	8151	.00	100.0000%	.00	.00	.00
34000149	01	6967	.00	100.0000%	.00	.00	.00
34000151	01	6967	.00	100.0000%	.00	.00	.00
34000153	01	6777	.00	100.0000%	.00	.00	.00
34000160	01	6777	.00	100.0000%	.00	.00	.00
34000162	01	7870	.00	100.0000%	.00	.00	.00
34000163	01	8609	.00	100.0000%	.00	.00	.00
34000164	01	7870	.00	100.0000%	.00	.00	.00
34000166	01	8609	.00	100.0000%	.00	.00	.00
34000168	01	8609	.00	100.0000%	.00	.00	.00
34000190	01	8528	.00	100.0000%	.00	.00	.00
34000196	01	8613	.00	100.0000%	.00	.00	.00
34000203	01	8072	.00	100.0000%	.00	.00	.00
34000218	01	8318	.00	100.0000%	.00	.00	.00
34000222	01	8318	.00	100.0000%	.00	.00	.00
34000232	01	8508	.00	100.0000%	.00	.00	.00

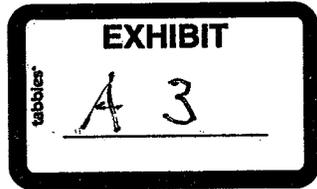


Liq#/Seq#	Claim#	Payee/Address	Determined Value	Distribution %	Total Distribution Payment	Less: Prev Payments/Allow	Check Amount
34000233	01	8003	.00	100.0000%	.00	.00	.00
34000234	01	8508	.00	100.0000%	.00	.00	.00
34000250	01	7638	.00	100.0000%	.00	.00	.00
34000256	01	8176	.00	100.0000%	.00	.00	.00
34000261	01	7135	.00	100.0000%	.00	.00	.00
34000263	01	7135	.00	100.0000%	.00	.00	.00
34000264	01	7177	.00	100.0000%	.00	.00	.00
34000273	01	8612	.00	100.0000%	.00	.00	.00
34000280	01	6346	.00	100.0000%	.00	.00	.00
34000283	01	6346	.00	100.0000%	.00	.00	.00
34000284	01	6346	.00	100.0000%	.00	.00	.00
34000287	01	6346	.00	100.0000%	.00	.00	.00
34000291	01	6411	.00	100.0000%	.00	.00	.00
34000306	01	7695	.00	100.0000%	.00	.00	.00
34000308	01	8373	.00	100.0000%	.00	.00	.00
34000309	01	8373	.00	100.0000%	.00	.00	.00
34000313	01	8316	.00	100.0000%	.00	.00	.00
34000321	01	7447	.00	100.0000%	.00	.00	.00
34000326	01	7201	.00	100.0000%	.00	.00	.00
34000339	01	7923	.00	100.0000%	.00	.00	.00
34000340	01	7923	.00	100.0000%	.00	.00	.00
34000346	01	5538	.00	100.0000%	.00	.00	.00
34000353	01	7286	.00	100.0000%	.00	.00	.00
34000360	01	6947PROL	.00	100.0000%	.00	.00	.00
34000361	01	6947PROL	.00	100.0000%	.00	.00	.00
34000370	01	7702	.00	100.0000%	.00	.00	.00
34000371	01	8210	.00	100.0000%	.00	.00	.00
34000373	01	1348	.00	100.0000%	.00	.00	.00
34000385	01	6963	.00	100.0000%	.00	.00	.00
34000398	01	7655	.00	100.0000%	.00	.00	.00
34000403	01	5522	.00	100.0000%	.00	.00	.00
34000421	01	7676	.00	100.0000%	.00	.00	.00
34000422	01	7676	.00	100.0000%	.00	.00	.00
34000425	01	7676	.00	100.0000%	.00	.00	.00
34000465	01	7847	33,000.00	100.0000%	33,000.00	.00	33,000.00

Liq#/Seq#	Claim#	Payee/Address	Determined Value	Distribution %	Total Distribution Payment	Less: Prev Payments/Allow	Check Amount
34000470 01	7847		.00	100.0000%	.00	.00	.00
34000520 01	8404		.00	100.0000%	.00	.00	.00
34000711 01	PRO0009		.00	100.0000%	.00	.00	.00
34000860 01			.00	100.0000%	.00	.00	.00
34001336 01			.00	100.0000%	.00	.00	.00
34001547 01	PRO0025		.00	100.0000%	.00	.00	.00
34001642 01	PRO0026		.00	100.0000%	.00	.00	.00
34001710 01	PRO0013		.00	100.0000%	.00	.00	.00
34001758 01	7326		.00	100.0000%	.00	.00	.00
34001807 01			.00	100.0000%	.00	.00	.00
34001994 01			.00	100.0000%	.00	.00	.00
34002064 01			.00	100.0000%	.00	.00	.00
34002376 01	7652		.00	100.0000%	.00	.00	.00
34002628 01	8564		.00	100.0000%	.00	.00	.00
34002683 01			.00	100.0000%	.00	.00	.00
34002900 01	PRO0024		.00	100.0000%	.00	.00	.00
34003269 01	6947PROL		.00	100.0000%	.00	.00	.00
34003454 01	6126		.00	100.0000%	.00	.00	.00
34003635 01	PRO0011		.00	100.0000%	.00	.00	.00
34004074 01	7177		.00	100.0000%	.00	.00	.00
34004739 01			.00	100.0000%	.00	.00	.00
34004782 01	8316		.00	100.0000%	.00	.00	.00
34005759 01	7676		.00	100.0000%	.00	.00	.00
34005936 01	PRO0023		.00	100.0000%	.00	.00	.00
34005949 01	8508		.00	100.0000%	.00	.00	.00
34005980 01			.00	100.0000%	.00	.00	.00
34006014 01			.00	100.0000%	.00	.00	.00
34006298 01	PRO0026		.00	100.0000%	.00	.00	.00
34006491 01	8609		.00	100.0000%	.00	.00	.00
34006628 01	PRO0012		.00	100.0000%	.00	.00	.00
34006757 01	PRO0017		.00	100.0000%	.00	.00	.00
34006877 01			.00	100.0000%	.00	.00	.00
34006991 01	PRO0022		.00	100.0000%	.00	.00	.00
34007092 01	PRO0021		.00	100.0000%	.00	.00	.00
34007384 01	6605		.00	100.0000%	.00	.00	.00

Liq#	Seq#	Claim#	Payee/Address	Determined Value	Distribution %	Total Distribution Payment	Less: Prev Payments/Allow	Check Amount
34007389	01	7923		.00	100.0000%	.00	.00	.00
34007397	01	6947PROL		.00	100.0000%	.00	.00	.00
34007398	01	6947PROL		.00	100.0000%	.00	.00	.00
34007399	01	6947PROL		.00	100.0000%	.00	.00	.00
34007411	01	7895		45,893.69	100.0000%	45,893.69	.00	45,893.69
34007453	01	6076		9,555.01	100.0000%	9,555.01	.00	9,555.01
34007456	01	8049		.00	100.0000%	.00	.00	.00
34007460	01	6947PROL		.00	100.0000%	.00	.00	.00
34007461	01	8172		.00	100.0000%	.00	.00	.00
34007463	01	8210		.00	100.0000%	.00	.00	.00
34007472	01	7177		.00	100.0000%	.00	.00	.00
34007486	01	7870		.00	100.0000%	.00	.00	.00
34007500	01	8210		.00	100.0000%	.00	.00	.00
34007501	01	8210		.00	100.0000%	.00	.00	.00
34007521	01	2395		.00	100.0000%	.00	.00	.00
34007525	01	7447		.00	100.0000%	.00	.00	.00
34007526	01	8613		.00	100.0000%	.00	.00	.00
34007528	01	6621		.00	100.0000%	.00	.00	.00
34007529	01	6621		.00	100.0000%	.00	.00	.00
34007541	01	8316		.00	100.0000%	.00	.00	.00
34007549	01	8584		.00	100.0000%	.00	.00	.00
34007553	01	8404		.00	100.0000%	.00	.00	.00
34007557	01	7847		.00	100.0000%	.00	.00	.00
34007558	01			.00	100.0000%	.00	.00	.00
34007562	01	PRO0014		331.97	100.0000%	331.97	.00	331.97
34007563	01	7676		.00	100.0000%	.00	.00	.00
34007564	01	7676		.00	100.0000%	.00	.00	.00
34007565	01	PRO0020		.00	100.0000%	.00	.00	.00
34007566	01	7847		.00	100.0000%	.00	.00	.00
34007573	01	8529		.00	100.0000%	.00	.00	.00
75000462	01	6594		.00	100.0000%	.00	.00	.00
97000260	01			434,264.71	100.0000%	434,264.71	378,546.07	55,718.64
Grand Totals:				\$526,434.74		\$526,434.74	\$378,546.07	\$147,888.67
Count:				137				

Liq#/Seq#	Claim#	Payee/Address	Determined Value	Distribution %	Total Distribution Payment	Less: Prev Payments/Allow	Check Amount
Grand Totals:			\$.00		\$.00		\$.00



12/02/10
15:26:58

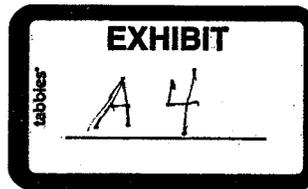
DSDETVALPI
PRO - Class 4 Final Distribution - Exhibit A-4
Proof of Claims - Class 04
Determined Value Distribution Report - FINAL
Distribution Percentage 100.0000%

Page 1

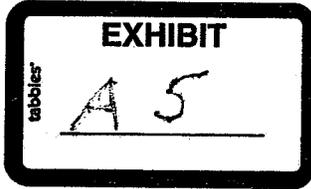
PRO04

Liq#/Seq#	Claim#	Payee/Address	Determined Value	Distribution %	Total Distribution Payment	Less: prev payments/Allow	Check Amount
					\$.00	\$.00	\$.00
Grand Totals:					\$.00	\$.00	\$.00

Count:



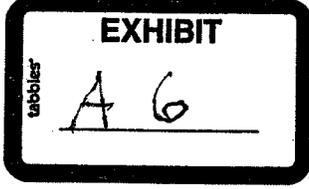
Liq#/Seq#	Claim#	Payee/Address	Determined Value	Distribution %	Total Distribution Payment	Less: Prev Payments/Allow	Check Amount
34000015	01	7209	.00	100.0000%	.00	.00	.00
34000018	01	5447	999.66	100.0000%	999.66	.00	999.66
34000032	01	8204	333.80	100.0000%	333.80	.00	333.80
34000037	01	8107	.00	100.0000%	.00	.00	.00
34000041	01	7654	382.90	100.0000%	382.90	.00	382.90
34000050	01	8223	215.33	100.0000%	215.33	.00	215.33
34000051	01	8534	215.10	100.0000%	215.10	.00	215.10
34000055	01	8595	1,095.28	100.0000%	1,095.28	.00	1,095.28
34000065	01	5331	.00	100.0000%	.00	.00	.00
34000068	01	5331	2,214.86	100.0000%	2,214.86	.00	2,214.86
34000075	01	7895	737.28	100.0000%	737.28	.00	737.28
34000076	01	7895	.00	100.0000%	.00	.00	.00
34000088	01	8491	429.50	100.0000%	429.50	.00	429.50
34000109	01	6515	.00	100.0000%	.00	.00	.00
34000118	01	7235	405.80	100.0000%	405.80	.00	405.80
34000128	01	8527	602.40	100.0000%	602.40	.00	602.40
34000130	01	8535	.00	100.0000%	.00	.00	.00
34000139	01	7668	.00	100.0000%	.00	.00	.00
34000147	01	7164	.00	100.0000%	.00	.00	.00
34000172	01	7528	219.42	100.0000%	219.42	.00	219.42
34000185	01	8448	498.60	100.0000%	498.60	.00	498.60
34000194	01	6694	.00	100.0000%	.00	.00	.00
34000204	01	8072	550.00	100.0000%	550.00	.00	550.00
34000208	01	8424	.00	100.0000%	.00	.00	.00
34000216	01	7753	.00	100.0000%	.00	.00	.00
34000228	01	8003	.00	100.0000%	.00	.00	.00
34000229	01	8311	333.99	100.0000%	333.99	.00	333.99
34000230	01	8003	66.00	100.0000%	66.00	.00	66.00
34000243	01	8443	.00	100.0000%	.00	.00	.00
34000247	01	8300	.00	100.0000%	.00	.00	.00
34000251	01	7291	826.25	100.0000%	826.25	.00	826.25
34000269	01	8463	.00	100.0000%	.00	.00	.00
34000278	01	8472	.00	100.0000%	.00	.00	.00
34000285	01	7650	305.00	100.0000%	305.00	.00	305.00
34000295	01	4565	.00	100.0000%	.00	.00	.00



Liq#/Seq#	Claim#	Payee/Address	Determined Value	Distribution %	Total Distribution Payment	Less: Prev Payments/Allow	Check Amount
34000297 01	8451		225.92	100.0000%	225.92	.00	225.92
34000299 01	8433		1,109.71	100.0000%	1,109.71	.00	1,109.71
34000314 01	8316		240.80	100.0000%	240.80	.00	240.80
34000317 01	8207		.00	100.0000%	.00	.00	.00
34000323 01	7447		.00	100.0000%	.00	.00	.00
34000327 01	7201		.00	100.0000%	.00	.00	.00
34000337 01	8492		.00	100.0000%	.00	.00	.00
34000352 01	7286		1,129.84	100.0000%	1,129.84	.00	1,129.84
34000362 01	6947PROL		.00	100.0000%	.00	.00	.00
34000383 01	8059		1,035.50	100.0000%	1,035.50	.00	1,035.50
34000384 01	6963		447.75	100.0000%	447.75	.00	447.75
34000392 01	6076		1,129.00	100.0000%	1,129.00	.00	1,129.00
34000393 01	6076		.00	100.0000%	.00	.00	.00
34000400 01	6043		654.90	100.0000%	654.90	.00	654.90
34000408 01	6753		.00	100.0000%	.00	.00	.00
34000413 01	7944		216.69	100.0000%	216.69	.00	216.69
34000416 01	8434		.00	100.0000%	.00	.00	.00
34000435 01	8129		1,420.60	100.0000%	1,420.60	.00	1,420.60
34000438 01	7040		.00	100.0000%	.00	.00	.00
34000443 01	7874		569.45	100.0000%	569.45	.00	569.45
34000452 01	8032		429.84	100.0000%	429.84	.00	429.84
34000455 01	8464		526.04	100.0000%	526.04	.00	526.04
34000459 01	6594		1,682.60	100.0000%	1,682.60	.00	1,682.60
34007436 01	PRO0011		.00	100.0000%	.00	.00	.00
34007438 01			.00	100.0000%	.00	.00	.00
34007439 01	8318		1,055.80	100.0000%	1,055.80	.00	1,055.80
34007440 01	7013		220.00	100.0000%	220.00	.00	220.00
34007446 01	8037		.00	100.0000%	.00	.00	.00
34007447 01	8514		.00	100.0000%	.00	.00	.00
34007450 01	8224		.00	100.0000%	.00	.00	.00
34007539 01	3240		.00	100.0000%	.00	.00	.00
70007386 01			.00	100.0000%	.00	.00	.00
70007550 01			.00	100.0000%	.00	.00	.00
70007554 01			31,820.60	100.0000%	31,820.60	.00	31,820.60
99007418 01			.00	100.0000%	.00	.00	.00

Liq#/Seq#	Claim#	Payee/Address	Determined Value	Distribution %	Total Distribution Payment	Less: Prev Payments/Allow	Check Amount
99007419	01		.00	100.0000%	.00	.00	.00
99007422	01		.00	100.0000%	.00	.00	.00
99007424	01		.00	100.0000%	.00	.00	.00
99007427	01		.00	100.0000%	.00	.00	.00
99007428	01		.00	100.0000%	.00	.00	.00
99007429	01		.00	100.0000%	.00	.00	.00
99007432	01		.00	100.0000%	.00	.00	.00
99007462	01		.00	100.0000%	.00	.00	.00
99007530	01		.00	100.0000%	.00	.00	.00
99007531	01		.00	100.0000%	.00	.00	.00
99007533	01		.00	100.0000%	.00	.00	.00
99007534	01		.00	100.0000%	.00	.00	.00
99007535	01		.00	100.0000%	.00	.00	.00
99007544	01		210.00	100.0000%	210.00	.00	210.00
99007546	01		.00	100.0000%	.00	.00	.00
99007547	01		.00	100.0000%	.00	.00	.00
99007586	01		19,925.74	100.0000%	19,925.74	.00	19,925.74
99007587	01		83,000.00	100.0000%	83,000.00	.00	83,000.00
99007590	01		21,559.37	100.0000%	21,559.37	.00	21,559.37
99007591	01		12,900.92	100.0000%	12,900.92	.00	12,900.92
99007592	01		8,975.00	100.0000%	8,975.00	.00	8,975.00
99007593	01		13,318.74	100.0000%	13,318.74	.00	13,318.74
99007595	01		13,113.74	100.0000%	13,113.74	.00	13,113.74
99007596	01		27,201.97	100.0000%	27,201.97	.00	27,201.97
99007598	01		18,000.00	100.0000%	18,000.00	.00	18,000.00
Count:	95		\$272,551.69		\$272,551.69	\$.00	\$272,551.69
Grand Totals:							

Lic#/Sec#	Claim#	Payee/Address	Determined Value	Distribution %	Total Distribution Payment	Less: Prev Payments/Allow	Check Amount
Grand Totals:							\$.00
Grand Totals:							\$.00



**PROLIANCE INSURANCE COMPANY,
IN LIQUIDATION**

NOTICE OF (1) ESTABLISHMENT OF JANUARY 3, 2011 AS THE ABSOLUTE FINAL BAR DATE; (2) BAR AND FORECLOSURE OF ALL BLANKET, FUTURE AND UNSPECIFIED CLAIMS; AND (3) LIQUIDATOR'S DETERMINATION NOT TO ACCEPT CLAIMS AFTER ABSOLUTE FINAL BAR DATE

The Liquidator of Proliance Insurance Company ("Proliance") hereby gives notice of the following: (1) an Absolute and Final Bar date in the Proliance liquidation proceeding has been established, which is **January 3, 2011** (the "**Absolute Final Bar Date**"); (2) the Liquidator has decided not to exercise her discretion to accept any claims after the **Absolute Final Bar Date**; (3) all Blanket, Unspecified and Future Claims, as defined below, are barred and foreclosed; (4) the Court of Common Pleas of Franklin County, Ohio, in Case No. 00CVH12-11391 (the "Liquidation Court"), entered an order on December 6, 2010 (the "Order") which, among other things, approved this Notice and provided for the three items described in the preceding sentence.

The Order provides that the **Absolute Final Bar Date** in the Proliance liquidation proceedings has been established and is **January 3, 2011**. The Order, among other things, also:

(a) approves the Liquidator's determination not to exercise her discretion pursuant to R.C. 3903.35(B) and (D), so that after the **January 3, 2011 Absolute Final Bar Date**, the Liquidator will not accept any claims or any requests for Proof of Claim forms;

(b) approves **January 3, 2011 as the Absolute and Final Bar Date** in the Proliance liquidation proceeding;

(c) provides that all "**Blanket Proof of Claims**," all "**Unspecified Claims**" and all "**Future Claims**," as defined below, are barred.

(d) orders that any attempted filing of any claim after the **January 3, 2011 Absolute Final Bar Date** shall **not** be considered, no written notice of denial under R.C. 3903.39 need be issued. As such, the filer of such a claim shall not be entitled to any hearing on the claim;

Definitions

A "Blanket Proof of Claim" is a proof of claim that includes the following features: (1) the claimant did not provide specific information relating to a claim or cause of action; and (2) the claimant evidences some intent that the POC covers or asserts a claim that might occur or arise after the submission of the Blanket Proof of Claim, including a Future Claim. There is authority suggesting that the statutes do not authorize these types of claims. Even so, they are typically filed by IGAs. Claims of this nature will NOT be allowed or accepted at this point in time.

An "Unspecified Claim" is a demand or right of action, whether or not the claimant asserts that it has been reported to the Liquidator under a POC or Blanket Proof of Claim, that includes: (a) demands that are not capable of being Perfected by January 3, 2011; (b) rights of action that have accrued but the liability has not been determined or the amount thereof liquidated and the claimant has not Perfected the claim by January 3, 2011; (c) demands where the Proliance insured or Liquidator has received reports or notices, whether or not formal demands for payment were included, on the basis that a demand or claim may mature at some point; (d) demands asserted in litigation with the Proliance



insured that are reopened and reported after January 3, 2011; and/or (e) claims of minors not asserted or Perfected on or before January 3, 2011. Claims of this nature will NOT be allowed or accepted at this point in time. An "Unspecified Claim" does not include a contingent claim described under R.C. 3903.37, provided that on or before January 3, 2011 the Liquidator is provided with sufficient information under R.C. 3903.36 for the Liquidator to determine and allow the claim.

A "Future Claim" is a claim that may be filed in the future that includes one or more of the following features: (a) the claim arises after January 3, 2011; (b) the facts surrounding the claim are presently unknown to the Liquidator and/or the claimant whether or not intended to be set forth within a Blanket Proof of Claim; and (c) the claim has yet to be asserted against a Proliance insured and/or the Liquidator. Claims of this nature will NOT be allowed or accepted at this point in time.

A "Perfected Claims" is a proof of claim that is provided to the Liquidator by January 3, 2011 and contains sufficient information and documentation describing the facts of the claim, including but not limited to: (a) a detailed statement describing the claim; (b) a detailed statement describing the dollar value of the claim; (c) documents evidencing damage; and (d) all other information or documents helpful to proving the claim, all as required by R.C. 3903.36 and the instructions to the POC form. These claims are the only claims that will be accepted and adjudicated pursuant to the Order.

All Proofs of Claim that were received prior to the April 24, 2002 Bar Date established in the Liquidation Order dated on or about April 24, 2001 (including timely filed Blanket Proofs of Claim, Contingent Claims, Future Claims and Unspecified Claims) have already been adjudicated and, if allowed, classed and paid.

Any Proof of Claim that is received by the Liquidator after the April 24, 2002 Bar Date and before the January 3, 2011 Absolute Final Bar Date will be classified as a Class 7 (late-filed) or below under R.C. 3903.42 and the Order.

In order to have a claim considered and to be eligible to share in any pro rata distribution to Classes 7, 8 or 9 from the Proliance liquidation proceeding, all Proliance claimants and creditors who have NOT already filed a proof of claim MUST file their Proofs of Claim with the Liquidator on the appropriate Proof of Claim form (enclosed) by the January 3, 2011 Absolute Final Bar Date.

Please be advised that this Notice does NOT affect any creditor who has already filed a Proof of Claim and who has sufficiently documented that an actual claim exists. If you have already filed a Proof of Claim describing an actual claim, with appropriate attached documentation, you do not need to take any additional action to preserve your actual and existing claim.

If you have already filed a Proof of Claim for a Contingent Claim or a Future Claim but have not documented it, you **MUST submit to the Liquidator sufficient supporting information to document your claim no later than January 3, 2011, or your claim will be foreclosed and forever barred.** Claimants are required to submit all documents relating to or supporting claims covered by Proliance in writing to the Liquidator. Supporting information and documentation describing all facts of the claim, including but not limited to: (a) a detailed statement describing the claim; (b) a detailed statement describing the dollar value of the claim; (c) documents

evidencing damage; and (d) all other information or documents helpful to proving the claim, all as required by R.C. 3903.36 and the instructions to the Proof of Claim form. Contingent and Future Claims will not participate in any pro rata distribution from Proliance liquidation proceeding to Classes 7, 8 and 9 even if an unsupported Blanket Proof of Claim is submitted on or before the January 3, 2011 Absolute Final Bar Date.

If documents supporting your claim have been lost or destroyed, you should submit your Proof of Claim along with a statement of the facts and circumstances of such loss or destruction, made under oath.

Any and all documentation regarding claims must be received on or before the January 3, 2011 Absolute Final Bar Date and should be submitted to:

Office of the Ohio Insurance Liquidator

Attn: Proliance

50 W. Town Street, Third Floor – Suite 350

Columbus, Ohio 43215

Be advised that you must advise the Liquidator, in writing, at the address above, of any change of address. **Failure to advise the Liquidator of a change of address will result in denial of your claim.**