

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO

Mary Jo Hudson, Superintendent, Ohio
Department of Insurance, in her capacity as
Liquidator of Builders & Contractors
Employee Benefit Association Trust,

Case No. 02CVH02-2010

Plaintiff,

Judge Schneider

v.

Builders & Contractors Employee Benefit
Association Trust,

Defendant.

FILED
CLERK OF COURTS
JUL 13 2010
FRANKLIN COUNTY, OHIO

ORDER: DISCHARGING AND RELEASING LIQUIDATOR; AUTHORIZING FINAL ACCOUNTING, AUDIT REPORT AND FILING OF TAX RETURN; AUTHORIZING CLOSING ESTATE AND SURRENDERING THE CERTIFICATE OF AUTHORITY OF MEWA; APPROVING DESTRUCTION OF RECORDS AND AUTHORIZATION OF RELATED ACTIONS

This matter came to be heard upon the Liquidator’s Application for Order: Discharging and Releasing Liquidator; Authorizing Final Accounting, Audit Report and Filing of Tax Return; Authorizing Closing Estate and Surrendering the Certificate of Authority of MEWA; Approving Destruction of Records and Authorization of Related Actions (the “Application”). Upon consideration of the Liquidator’s Application and Memorandum in Support, the Court finds the Application is well taken and it is hereby

ORDERED, ADJUDGED and DECREED as follows:

1. Pursuant to R.C. 3903.46(A), discharging and releasing the Liquidator, her predecessors, assigns and any and all deputy liquidators and/or deputy rehabilitators, agents or employees of the Liquidator and employees of the Ohio Department of Insurance, of all liability relating to or involving any and all actions and decisions concerning Builders & Contractors Employee Benefit

Association Trust ("BCEBAT"), the BCEBAT liquidation and/or rehabilitation proceedings or any proceedings related thereto;

2. The Liquidator or her designee is hereby authorized to retain limited authority for the following purposes: (a) taking such actions as set forth in the Final Order of No Asset Liquidation and Appointment of Liquidator filed on March 21, 2008; (b) filing a final accounting with the Court; (b) filing a final audit report with the Court; (c) executing the final BCEBAT 2008 tax return and filing it with the Internal Revenue Service in the manner provided by law; and (d) taking all related actions as authorized or as deemed necessary and appropriate by the Liquidator under various sections of R.C. Chapter 3903;

3. If necessary, the Liquidator is hereby authorized to surrender the certificate of authority for BCEBAT to operate as a Multiple Employer Welfare Association (MEWA) that was granted in accordance with R.C. 1739.04;

4. Pursuant to R.C. 3903.48, the destruction of remaining BCEBAT books and records are hereby authorized as follows: (1) all books and records that are more than 7 years old may be immediately destroyed; and (2) all other books and records may be destroyed on or after the date three years following the date of the order granting this application; and

5. The Liquidator is hereby authorized to take any and all related actions required to close the estate or carry out the orders of this Court, including, but not limited to, reserving \$20,350.00 for the payment of administrative expenses under Class 1 related to closing the BCEBAT estate, that the Liquidator incurred, but has not yet paid, or anticipates will necessarily be incurred.

IT IS SO ORDERED.

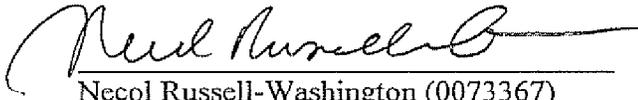
Date: _____

Judge Charles J. Schneider

Submitted by:

NANCY HARDIN ROGERS
Attorney General of Ohio

By Outside Counsel:
CARLILE PATCHEN & MURPHY LLP

A handwritten signature in cursive script, appearing to read "Neil Russell", is written over a horizontal line.

Neel Russell-Washington (0073367)

366 East Broad Street

Columbus, Ohio 43215

Tel: (614) 228-6135

Fax: (614) 221-0216

*Attorneys for Mary Jo Hudson, Superintendent of
the Ohio Department of Insurance, in her capacity
as Liquidator of Builders & Contractors Employee
Benefit Association Trust*