

**IN THE COURT OF COMMON PLEAS  
FRANKLIN COUNTY, OHIO**

ANN H. WOMER BENJAMIN, :  
Ohio Superintendent of Insurance, in her :  
Capacity as Liquidator of American :  
Druggists' Insurance Company, :  
:  
Plaintiff, :  
:  
v. :  
AMERICAN DRUGGISTS' INSURANCE :  
COMPANY, :  
:  
Defendant. :

Case No. 86CV-03-1381  
Judge Charles Schneider

FILED  
 COMMON PLEAS COURT  
 FRANKLIN CO. OHIO  
 06 SEP 18 AM 10:04  
 CLERK OF COURTS

**ORDER AUTHORIZING: FINAL DISTRIBUTION, RESERVE FOR  
REMAINING ADMINISTRATIVE EXPENSES, HANDLING OF REMAINING  
ASSETS OF THE ESTATE, AND CLOSING OF ACCOUNTS**

This matter came to be heard upon the Liquidator's Motion for Order Authorizing: Final Distribution, Reserve for Remaining Administrative Expenses, Handling of Remaining Assets of the Estate, and Closing of Accounts (the "Motion"). Upon consideration of the Liquidator's Motion, Memorandum in Support and Exhibits, the Court finds the Motion is well taken and it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. The Liquidator's recommendation to make a final distribution is hereby approved and pursuant to R.C. 3903.45(A), 3903.42 and 3903.46(A), the Liquidator is authorized to make a final distribution of remaining ADIC assets in the total amount of Fifteen Million, Seven Hundred Fifty-Seven Thousand, Six Hundred Thirty Dollars and Eighty-Five Cents (\$15,757,630.85) pro rata to all allowed claims in this Liquidation, except for those claims identified in paragraph 2 below, in accordance with the Reports

of Claims for Class 2, 3, 5, 6, 8, and 9 claims attached to the Motion as Exhibits A, B, C, D, E, and F, respectively (collectively, the “Reports of Claims”);

2. The Liquidator’s determination as to specific claimants, who were to receive distributions per prior orders of this Court, but who have not negotiated the distributions that were sent to them or whom the Liquidator has been unable to locate (the “Lost Claimants”) is approved. In addition, pursuant to R.C. 3903.45(A), it is hereby ordered that: (1) the payments previously made by the Liquidator to the Lost Claimants as identified in Exhibit G to the Motion are hereby declared to be “unclaimed funds” under R.C. 3903.45(A); (2) the “unclaimed funds” shall be included in the amount to be distributed in this final distribution; and (3) the Lost Claimants shall not be included in the final distribution.

3. The Liquidator’s recommendation for the allocation, distribution, and final accounting of those funds remaining in the estate for funding of administrative expenses, as set forth in detail in Exhibit H attached to the Motion, is hereby approved and pursuant to R.C. 3903.45(A), 3903.42 and 3903.46(A), the Liquidator is authorized to make such allocation and distribution.

4. All ADIC’s remaining physical assets are hereby found to be uneconomic to distribute and pursuant to R.C. 3903.46(A), the Liquidator is hereby authorized to transfer those assets to the liquidation estate of LMI Insurance Company;

5. Pursuant to R.C. 3903.46, the Liquidator’s recommendation for disbursement of the Collateral Balance, as defined in the Motion, is approved and the Liquidator or her designee are hereby authorized to transfer the Collateral Balance to a

separate account maintained by the Liquidator for one of the other open liquidation estates if necessary to complete that disbursement;

6. Pursuant to R.C. 3903.46, the Liquidator or her designee are hereby authorized to retain funds not negotiated by final distribution claimants and to collect and hold other assets of ADIC received after the closing of this liquidation, which funds and assets shall be held in a separate account maintained by the Liquidator for one of the other open liquidation estates (the "Remaining Funds"). In addition and pursuant to R.C. 3903.46, the Liquidator or her designee are hereby authorized to utilize the Remaining Funds as follows: (1) if there are Remaining Funds in an aggregate amount sufficient to justify a redistribution to claimants, the Liquidator may seek to reopen the ADIC Liquidation pursuant to R.C. 3903.47 and obtain approval for redistribution of those funds; and (2) if the Remaining Funds are not sufficient to justify a redistribution to claimants, the Liquidator may continue to hold those funds along with other assets of ADIC received after the closing of this liquidation, until funds are needed to defray administrative costs of future insurance receiverships and may at that time use the Remaining Funds for that purpose. If one of the ADIC claimants who did not timely negotiate its final distribution check appears and seeks a replacement distribution and the Liquidator has not yet disbursed the Remaining Funds per (1) or (2) above, the Liquidator may reissue the distribution to such claimant; and

7. The Liquidator is hereby authorized to close all of the ADIC bank accounts on or before December 31, 2006.

IT IS SO ORDERED.

Date: 9/18/06

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Judge Charles Schneider

Approved:

JIM PETRO  
Attorney General State of Ohio

By Special Counsel:  
KEGLER, BROWN, HILL & RITTER  
A Legal Professional Association

[Signature]  
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Attorneys for Ann H. Womer Benjamin, Ohio Superintendent of Insurance, in her  
Capacity as Liquidator of American Druggists' Insurance Company

THE STATE OF OHIO Franklin County, ss	} I, JOHN O'GRADY, Clerk OF THE COURT OF COMMON PLEAS, WITHIN AND FOR SAID COUNTY.
HEREBY CERTIFY THAT THE ABOVE AND FORE- GOING IS TRULY TAKEN AND COPIED FROM THE ORIGINAL <u>[Signature]</u>	
NOW ON FILE IN MY OFFICE.	
WITNESS MY HAND AND SEAL OF SAID COUNTY	
THIS <u>18th</u> DAY OF <u>Sept</u> , A.D. 20 <u>06</u> .	
JOHN O'GRADY, Clerk	
By <u>[Signature]</u>	Deputy