

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

FILED
COMMON PLEAS COURT
FRANKLIN CO., OHIO

2008 DEC 22 AM 10:11

Mary Jo Hudson, Ohio Superintendent
of Insurance, in her Capacity as Liquidator of
Personal Physician Care, Inc.,

Plaintiff,

v.

Personal Physician Care, Inc.,

Defendant.

CLERK OF COURTS
Case No. 98CVH08-6251

Judge Stephen L. McIntosh

**ORDER: AUTHORIZING TRANSFER OF REMAINING FUNDS; DISCHARGING AND
RELEASING LIQUIDATOR; AUTHORIZING FINAL ACCOUNTING, AUDIT REPORT AND
FILING OF TAX RETURN; CLOSING ESTATE AND DISSOLVING CORPORATE ENTITY;
APPROVING DESTRUCTION OF RECORDS; APPROVING ABANDONMENT OF PHYSICAL
ASSETS; AUTHORIZING CLOSING BANK ACCOUNTS; AND AUTHORIZATION OF
RELATED ACTIONS**

This matter came to be heard upon the Liquidator's Application for Order: Authorizing Transfer of Remaining Funds; Discharging and Releasing Liquidator; Authorizing Final Accounting, Audit Report and Filing of Tax Return; Closing Estate and Dissolving Corporate Entity; Approving Destruction of Records; Approving Abandonment of Physical Assets; 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. All of the remaining funds resulting from checks not negotiated by final distribution to claimants of Personal Physician Care, Inc. ("PPC") are hereby found to be uneconomic to distribute and, pursuant to R.C. 3903.46(A), the Liquidator is hereby authorized to transfer these remaining funds, in the amount of \$67,075.51, to the Ohio Department of Commerce, Division of Unclaimed Funds, without further notice to the owners or beneficiaries of the remaining funds regarding the funds' transfer to the Division of Unclaimed Funds; and, the Liquidator is further authorized to return any assets received after the closing of this liquidation to the transferor(s);

2. Pursuant to R.C. 3903.46(A), the Liquidator, her predecessors, assigns and any and all deputy liquidators, agents or employees of the Liquidator and of the Ohio Department of Insurance, are hereby discharged and released of all claims and liability of any nature whatsoever and whenever incurred (including but not limited to costs, expenses and attorneys' fees) relating to, involving or arising out of any and all actions, decisions, conduct, transactions, or events that were alleged or that could have been alleged in the PPC liquidation proceedings or in any other litigation that in any way relate to or involve PPC, the PPC liquidation proceedings, or any proceedings related to PPC or the PPC liquidation proceedings;

3. The Liquidator or her designee is hereby authorized to retain limited authority for the following purposes: (a) filing a final accounting with the Court; (b) filing a final audit report with the Court; (c) executing the final PPC 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;

4. The Court finds that all other matters regarding the liquidation of PPC have been finalized in accordance with the orders of this Court, and effective immediately, the PPC liquidation estate is closed;

5. Pursuant to R.C. 3903.20, the corporate entity of PPC is hereby dissolved;

6. Pursuant to R.C. 3903.48, approving and authorizing the destruction of the PPC books and records as follows: (a) all pre-liquidation books and records may be immediately destroyed; (b) all post-liquidation books and records that the Liquidator determines are no longer essential, or that are not required to be maintained pursuant to applicable federal and state records retention requirements, may be immediately destroyed; and (c) all other books and records may be destroyed on or after the date three (3) years following the date of the order granting this application; provided, however, that any books and records listed in subsections (a), (b), or (c) that are related to the class action litigation captioned *OHA: The Ohio Association for Hospitals and Health Systems, et al. v. Ohio Department of Human Services, et al., Court of Claims of Ohio Case No. 99-01233*, ("the Class Action") shall be preserved until the time specified in subsections (a), (b), or (c) above, as applicable, or until the Effective Date (as that term is defined in the Class Action Settlement and Release Agreement) of the Class Action Settlement and Release

Agreement that is pending court approval in the Class Action, whichever date is later, after which such records may be immediately destroyed;

7. Pursuant to R.C. 3903.46(A), finding that PPC's remaining physical assets are uneconomic to distribute, and approving and authorizing the Liquidator to abandon such physical assets;

8. Authorizing the Liquidator to close all of the PPC bank accounts on or before December 31, 2008; and,

9. 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.

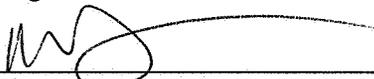
IT IS SO ORDERED.

Date: 12/22/08

Approved By:

NANCY H. ROGERS
Attorney General State of Ohio

By Special Counsel:
KEGLER, BROWN, HILL & RITTER
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*Attorneys for Plaintiff Mary Jo Hudson,
Ohio Superintendent of Insurance, in her
capacity as Liquidator of Personal Physician Care, Inc.*



THE STATE OF OHIO
Franklin County, ss
Judge Stephen L. McIntosh
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 Entry.....
NOW ON FILE IN MY OFFICE.
WITNESS MY HAND AND SEAL OF SAID COUNTY
THIS 22..... DAY OF Dec., A.D. 2008
JOHN O'GRADY, Clerk
By J. Allen..... Deputy