IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

| | | |
|---|---|---|
| Mary Jo Hudson,<br>Ohio Superintendent of Insurance,<br>in her capacity as Liquidator of<br>LMI Insurance Company | : | Case No. 00CVH03-2431<br><br>Judge Charles A. Schneider |
| Plaintiff, | : | |
| v. | : | |
| LMI Insurance Company, | : | |
| Defendant. | : | |

FILED
COMMON PLEAS COURT
FRANKLIN CO. OHIO
2009 APR 27 PM 4: 04
CLERK OF COURTS-CV

**PLAINTIFF'S MOTION TO SUBMIT CORRECTED EXHIBIT AND FOR REVISED ORDER TO DESTROY CERTAIN RECORDS OF LMI INSURANCE COMPANY**

On April 3, 2009 Mary Jo Hudson, Ohio Superintendent of Insurance, in her capacity as Liquidator (the "Liquidator") of LMI Insurance Company, in Liquidation ("LMI"), moved this Court for an Order authorizing the Liquidator to destroy certain LMI records no longer useful to administering the LMI liquidation estate, in order to conserve estate assets and in accord with O.R.C. § 3903.48. That Order was granted by the Court on April 22, 2009.

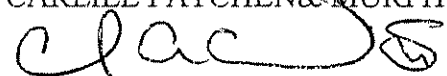
It has come to the Liquidator's attention that an Exhibit on the original motion was incorrect as to which accounting boxes had been marked for destruction. A corrected exhibit is hereby attached at Exhibit A. All accounting boxes that were on the original exhibit to the April 3, 2009 motion, and which are not on the attached Exhibit A, are not presently scheduled for destruction and will continued to be stored by the Liquidator. Accordingly, the Liquidator seeks

the same authority as granted on April 22, 2009 to destroy the Exhibit A accounting boxes and has attached a revised Order allowing the same.

Respectfully submitted,

RICHARD CORDRAY
Attorney General State of Ohio

By Special Counsel:
CARLILE PATCHEN & MURPHY LLP



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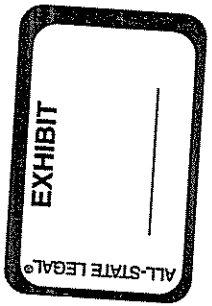
*Special Counsel for the Attorney General, State of Ohio, representing Mary Jo Hudson, Superintendent of Insurance, Ohio Department of Insurance, in her capacity as Liquidator of LMI Insurance Company*

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion was served upon Mary Jo Hudson, Superintendent, Ohio Department of Insurance, c/o Lynda G. Loomis, Chief Deputy Liquidator, Office of the Ohio Insurance Liquidator, 1366 Dublin Road, Columbus, OH 43215 by ordinary U.S. Mail, postage prepaid, on this 27th day of April, 2009.

Carl A. Aveni II

LMI ACCTOUNTING WH FILES - Highlighted Copy 3-24-09 Boxes to Destroy




| DEPT | COCODE | WCODE | BOXID | NAME3 | DESC | DOCDTE | Destroy |
|---|---|---|---|---|---|---|---|
| Boxes to Destroy = 32 boxes | | | | | | | |
| AC | 26 | 1 | 1 | | CHECK REQ, ACCTS PAYABLE | 19970000 | 1 |
| AC | 26 | 1 | 1 | | VENDORS AMER. RE-BELL ATLANTIC | 19970000 | 1 |
| AC | 26 | 1 | 2 | CHECK REQ | ACCOUNTS PAYABLE | 19970000 | 1 |
| AC | 26 | 1 | 2 | | VEND BELL ATLANTIC-BRIAN BAYNE | 19970000 | 1 |
| AC | 26 | 1 | 3 | | ACCOUNTS PAYABLE | 19970000 | 1 |
| AC | 26 | 1 | 3 | | VENDOR AGENT-AMERICAN RESEARCH | 19970000 | 1 |
| AC | 26 | 1 | 4 | VENDORS | CABLE EXPRESS-COMMERCIAL INS. | 19970000 | 1 |
| AC | 26 | 1 | 4 | | CHECK REQ-PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 5 | VENDORS | COMMERCIAL INS. DICTAPHONE | 19970000 | 1 |
| AC | 26 | 1 | 5 | | PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 6 | | CHECK REQ. PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 6 | VENDORS | DIGITAL ARTS-JAMES EMERSON | 19970000 | 1 |
| AC | 26 | 1 | 7 | | CHECK REQ. PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 7 | VENDORS | EMERY&WEBB-FLORIDA DEPT OF INS | 19970000 | 1 |
| AC | 26 | 1 | 8 | | CHECK REQ. PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 8 | VENDORS | FLYNN,PAUL--GREENBERG,STEPHEN | 19970000 | 1 |
| AC | 26 | 1 | 9 | | CHECK REQ. PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 9 | VENDORS | GRIFFIN COMMUNICATION-IGS&ASSO | 19970000 | 1 |
| AC | 26 | 1 | 10 | | CHECK REQ. PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 10 | VENDORS | IIA'S(ASSORTED)-J(MISC) | 19970000 | 1 |
| AC | 26 | 1 | 11 | | CHECK REQ. PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 11 | VENDORS | KANE,SUSAN--LAWYERS ASSESSMENT | 19970000 | 1 |
| AC | 26 | 1 | 12 | | CHECK REQ. PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 12 | VENDORS | LEAHY, PIERCE--MICROSOFT CORP. | 19970000 | 1 |
| AC | 26 | 1 | 13 | | CHECK REQ. PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 13 | VENDORS | MILLER, LORRAINE--NETWORK | 19970000 | 1 |
| AC | 26 | 4 | 13 | | MOBILE COMM DISCOUNTED PRICING | 19980501 | 1 |
| AC | 26 | 1 | 14 | | CHECK REQ. PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 14 | VENDORS | NEVADA--PHH VEHICLE MGMT. | 19970000 | 1 |
| AC | 26 | 1 | 15 | | CHECK REQ. PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 15 | VENDORS | PIA-R.V.CHANDLER & ASSOCIATES | 19970000 | 1 |
| AC | 26 | 1 | 16 | | CHECK REQ. PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 16 | VENDORS | R(MISC) TAB PRODUCTS | 19970000 | 1 |
| AC | 26 | 1 | 17 | | CHECK REQ. PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 17 | VENDORS | TAGG,BRUCE--UNITED VAN LINES | 19970000 | 1 |

| DEPT | COCODE | WCODE | BOXID | NAME3 | DESC | DOCDTE | Destroy |
|---|---|---|---|---|---|---|---|
| Boxes to Destroy = 32 boxes | | | | | | | |
| AC | 26 | 1 | 18 | | CHECK REQ. PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 18 | VENDORS | U.S. DEPT OF COMMERCE Z(MISC) | 19970000 | 1 |
| AC | 26 | 1 | 19 | | AGENT OPEN...PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 19 | | CHECK REQ.-PAYABLES | 19970000 | 1 |
| AC | 26 | 1 | 19 | | INSURED REFUNDS-PAYABLES | 0 | 1 |
| AC | 26 | 1 | 19 | | INSURED REFUNDS-PAYABLES | 0 | 1 |
| AC | 26 | 1 | 19 | | INSURED REFUNDS-PAYABLES | 19970700 | 1 |
| AC | 26 | 1 | 19 | | INSURED REFUNDS-PAYABLES | 19971000 | 1 |
| AC | 26 | 1 | 19 | | ITEM REFUNDS | 0 | 1 |
| AC | 26 | 1 | 19 | | VENDORS ABC PEST-ADT SECURITY | 19970000 | 1 |
| AC | 26 | 1 | 44 | | ACTUORIAL OPINION | 19960000 | 1 |
| AC | 26 | 1 | 44 | | ANNUAL STATEMENT-REQUIRED DOCS | 19960000 | 1 |
| AC | 26 | 1 | 44 | | CALIFORNIA-MDA | 19960000 | 1 |
| AC | 26 | 1 | 44 | | CERTIFICATE OF COMPLIANCE | 19960000 | 1 |
| AC | 26 | 1 | 44 | | IEE | 19960000 | 1 |
| AC | 26 | 1 | 44 | | NY SUPPLEMENTAL | 19930000 | 1 |
| AC | 26 | 1 | 44 | | RBC | 19960000 | 1 |
| AC | 26 | 1 | 44 | | STATE FILINGS | 19960000 | 1 |
| AC | 26 | 1 | 44 | | SVO | 19960000 | 1 |
| AC | 26 | 1 | 44 | CERTIFICATE OF DEPOSIT | VARIOUS STATES | 19960000 | 1 |
| AC | 26 | 1 | 44 | | WISCONSIN SUPPLEMENTAL | 19930000 | 1 |
| AC | 26 | 1 | 45 | | CK REQ-PAYABLES-OPERATING | 19980000 | 1 |
| AC | 26 | 1 | 45 | | CK-REQ-PAYABLES-REFUNDS | 19980000 | 1 |
| AC | 26 | 1 | 46 | | BANK RECON | 19970000 | 1 |
| AC | 26 | 1 | 46 | | CASH RECON-BANK ONE | 0 | 1 |
| AC | 26 | 1 | 46 | | CASH RECON-FUNB OF NC | 0 | 1 |
| AC | 26 | 1 | 46 | | CASH RECON-PNC | 0 | 1 |
| AC | 26 | 1 | 46 | | CASH-FUNB OF NC | 0 | 1 |
| AC | 26 | 1 | 46 | | CASH-FUNB OF NC | 19970000 | 1 |
| AC | 26 | 1 | 46 | | DIRECT BILL COMM.-BANK ONE | 0 | 1 |
| AC | 26 | 1 | 46 | | RECONCILIATION | 19970000 | 1 |
| AC | 26 | 1 | 46 | | RECONCILIATION | 19970000 | 1 |
| AC | 26 | 1 | 47 | | A/P TRANSACTION | 0 | 1 |
| AC | 26 | 1 | 47 | | BANK RECON-BANK ONE WIS | 0 | 1 |
| AC | 26 | 1 | 47 | | CK REQ-PAYABLES/K-Z BANK 1 WIS | 19980000 | 1 |

| DEPT | COCODE | WCODE | BOXID | NAME3 | DESC | DOCDTE | Destroy |
|---|---|---|---|---|---|---|---|
| Boxes to Destroy = 32 boxes | | | | | | | |
| AC | 26 | 1 | 47 | | LEDGER | 19961000 | 1 |
| AC | 26 | 1 | 48 | CASH MGMT REPORT | BANK ONE | 19960000 | 1 |
| AC | 26 | 1 | 48 | | BANK ONE LOAN REPAYMENTS | 0 | 1 |
| AC | 26 | 1 | 48 | | CHECK AURTHORIZATION LEVELS | 0 | 1 |
| AC | 26 | 1 | 48 | | EMPLOYEE LIST | 19980000 | 1 |
| AC | 26 | 1 | 48 | | KPMG CALI WRKERS COMP DATA | 19960000 | 1 |
| AC | 26 | 1 | 48 | | MISC. INTERNAL MEMO | 0 | 1 |
| AC | 26 | 1 | 48 | | PAYMENT REQ. PROCEDURE | 0 | 1 |
| AC | 26 | 1 | 48 | | PREMIUM ACCTING REPORTS | 19960000 | 1 |
| AC | 26 | 1 | 48 | | SCH E CASH RECON---2ND QTR. | 19970000 | 1 |
| AC | 26 | 1 | 48 | CERTIFICATE OF COMPLIANCE | STATE OF OHIO | 0 | 1 |
| AC | 26 | 1 | 48 | CERTFCTE OF SECRTIES ON DEPOS | STATE OF OHIO | 19960000 | 1 |
| AC | 26 | 1 | 48 | CERTFCATE OF SECRTIES ON DEPOS | STATE OF OHIO | 19970000 | 1 |
| AC | 26 | 1 | 48 | CERTIFICATE OF COMPLIANCE | STATE OF OHIO | 19970701 | 1 |
| AC | 26 | 1 | 48 | | STATEMENT OF ACTUARIAL OPINION | 19970000 | 1 |
| AC | 26 | 1 | 48 | CASH MGMT REPORT | TREASURY REPORT | 19970000 | 1 |
| AC | 26 | 1 | 66 | PMS V-7 IHOS INA | 2000000127787 | 19890000 | 1 |
| AC | 26 | 1 | 66 | FUNB-LMI | | 19980000 | 1 |
| AC | 26 | 1 | 66 | WELLS FARGO BANK | ACCOUNT ANALYSIS | 1998 | 1 |
| AC | 26 | 1 | 66 | NNCC BANK ACCT. | ACCOUNT RECON | 19940500 | 1 |
| AC | 26 | 1 | 66 | NJ CASH RECON | ACCT #2000000836366 | 19970000 | 1 |
| AC | 26 | 1 | 66 | FUNB-LMI | BILL TO ARI | 19960000 | 1 |
| AC | 26 | 1 | 66 | CTC REPORTS | BLANK | 0 | 1 |
| AC | 26 | 1 | 66 | FUNB-LMI | LMI NJ CASH RECON | 19970400 | 1 |
| AC | 26 | 1 | 66 | FUNB-LMI | LMI NJ CASH RECON | 19970500 | 1 |
| AC | 26 | 1 | 66 | FUNB-LMI | LMI NJ CASH RECON | 19970600 | 1 |
| AC | 26 | 1 | 66 | FINANCIAL REPT | RED BINDER | 19950000 | 1 |
| AC | 26 | 1 | 67 | ANNUAL STATEMENTS ON DISK | | 0 | 1 |
| AC | 26 | 1 | 67 | QTRLY STATEMNT OF HIC | | 19960900 | 1 |
| AC | 26 | 1 | 67 | LMI DRAFT RECON | | 19980228 | 1 |
| AC | 26 | 1 | 67 | RECON FOR LMI | 1137(033-11047) | 20000500 | 1 |
| AC | 26 | 1 | 67 | RECON FOR LMI | 6653(033-11001) | 19990500 | 1 |
| AC | 26 | 1 | 67 | WELLS FARGO CLEARED CHECKS | W/ACCT ANALYSIS AND STATEMNTS | 19970000 | 1 |
| AC | 26 | 1 | 67 | IN HOUSE - BANK STATEMENT | WELLS FARGO | 19981119 | 1 |
| AC | 26 | 1 | 67 | ANNUAL STATEMENT | YEAR ENDED 12/31/94 | 19941231 | 1 |

| DEPT | COCODE | WCODE | BOXID | NAME3 | DESC | DOCDTE | Destroy |
|---|---|---|---|---|---|---|---|
| Boxes to Destroy = 32 boxes | | | | | | | |
| AC | 26 | 1 | 73 | | WRITE OFF FOR HIGHLAND | 0 | 1 |
| AC | 26 | 1 | 74 | | CLAIM BATCHES | 0 | 1 |
| AC | 26 | 1 | 75 | | CLAIM BATCHES | 0 | 1 |
| AC | 26 | 1 | 81 | | A/L PERIOD ACTIVITY BALANCES | 2000 | 1 |
| AC | 26 | 1 | 81 | | A/L PERIOD ACTIVITY BALANCES | 2000 | 1 |
| AC | 26 | 1 | 81 | | A/L PERIOD ACTIVITY BALANCES | 2000 | 1 |
| AC | 26 | 1 | 81 | | A/L PERIOD ACTIVITY BALANCES | 2000 | 1 |
| AC | 26 | 1 | 134 | AGENCY COLLECTION LETTERS | | 2000-2001 | 1 |
| AC | 26 | 1 | 135 | AGENCY COLLECTION LETTERS | | 2000-2001 | 1 |