

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

Mary Taylor, Ohio Superintendent of Insurance, in her Capacity as Liquidator of Credit General Insurance Company and Credit General Indemnity Company,	:	
	:	
Plaintiff,	:	Case No. 00 CVH 11-9867
	:	
v.	:	Judge Mark Serrott
	:	
Credit General Insurance Company, et al.,	:	
	:	
Defendants.	:	
	:	
	:	

LIQUIDATOR'S MOTION FOR AUTHORITY TO DESTROY CERTAIN RECORDS OF CREDIT GENERAL INDEMNITY COMPANY AT FIREPROOF RECORDS CENTER

Mary Taylor, Ohio Superintendent of Insurance, in her capacity as Liquidator (the "Liquidator") of Credit General Indemnity Company ("Indemnity"), respectfully requests that this Court enter an Order authorizing the Liquidator to destroy certain records of the Indemnity liquidation estate that have not been used and will not be used to administer the Indemnity liquidation estate. Specifically, the records will not be used to execute the final distribution in this case or be used through the closing of the estate, set to occur before December 31, 2013. The destruction of these records is in accord with Ohio Revised Code § 3903.48 as the records are no longer useful and destruction of them will reduce the administrative expenses associated with keeping and storing the records and thereby conserve estate assets for the benefit of policyholders and claimants. A Memorandum in Support is attached.

Respectfully submitted,

MIKE DEWINE
Attorney General State of Ohio

By Special Counsel:
KOHRMAN, JACKSON & KRANTZ, LLP

/s/ Valoria C. Hoover

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*Attorneys for Mary Taylor, in her capacity as Liquidator of
Credit General Indemnity Company*

MEMORANDUM IN SUPPORT

On December 12, 2000, the Court ordered Credit General Indemnity Company (“Indemnity”) into liquidation under Ohio Revised Code Chapter 3903 (“Liquidation Order”). The Liquidation Order and R.C. § 3903.48 grant the Ohio Superintendent of Insurance in her capacity as statutory liquidator of Indemnity (the “Liquidator”) the authority to determine when company records are no longer useful and to “...recommend to the court and the court shall direct what records should be retained for future reference and what should be destroyed.” R.C. § 3903.48.

As part of the administration of this estate, the Liquidator has continued to store Indemnity records she inherited when Indemnity was ordered into liquidation. As in all liquidations, the Liquidator analyzes whether or not these and other records are needed and/or useful in the administration of an estate. The Liquidator conducted this analysis of the records listed on Exhibit A. The Liquidator is now requesting the Court to authorize the destruction of these Indemnity records that have not been used in the administration of the estate and are not needed for the claims adjudication process or otherwise in this liquidation. *See* R.C. § 3903.48. A box level listing of the records recommended for destruction is attached as Exhibit A, and incorporated herein by reference.

The records recommended for destruction are Indemnity pre-liquidation closed claim files (89 boxes) and pre-liquidation closed bond files (11 boxes) stored on shelves at Fireproof Records Center in Grove City, Ohio (the “FRC Records”). These pre-liquidation records were stored at FRC because the Liquidator did not require access to them. The records do not involve a pending dispute. All claims and proofs of claims (except one (1) IGA proof of claim not involving the records stored at Fireproof) in this liquidation have been fully and finally resolved

and determined by the Liquidator. Therefore, there will be no future dispute or issue about the FRC Records during the final stages of this liquidation. The Liquidator recommends pursuant to R.C. § 3903.48, that the FRC Records described above should be destroyed.

The Liquidator obtained a quote from FRC for the certified destruction of the FRC Records, which indicates that it will cost the Indemnity estate \$449.40. *See* Exhibit B.

Status of the Credit General Indemnity Company Liquidation Proceedings

The Liquidator is readying the Indemnity estate for closure. The Liquidator has fulfilled her fiduciary duty to policyholders, creditors, and claimants by determining that the records are no longer of value and the records can be destroyed. The records destruction expense of approximately \$449.40 may be paid now, rather than be reserved for payment following distribution.

For the reasons outlined above, the Liquidator respectfully requests the Court for an Order pursuant to RC § 3903.48 that (1) allows the immediate destruction of FRC Records, as shown on Exhibit A, because these records are no longer useful to administering the Indemnity liquidation estate, and (2) authorizes the Liquidator to spend estate assets for such destruction.

An Order is attached for the Court's consideration and approval.

Respectfully submitted,

MIKE DEWINE
Attorney General State of Ohio

By Special Counsel:
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing *Motion for Authority to Destroy Certain Records of Credit General Indemnity Company at Fireproof Records Center* was posted on the Liquidator's website (www.ohliq.com) substantially contemporaneous with the filing of this *Motion*. The undersigned hereby certifies that a true and accurate copy of the foregoing Motion was emailed to the persons on the attached Credit General Indemnity Company Courtesy Copy E-Mail List and served upon the following via Regular Mail, postage prepaid, on this 20th day of September, 2013:

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/s/ Valoria C. Hoover
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Inventory with Long Description

OFFICE OF OHIO INSURANCE LIQUIDATOR: OFFICE OF OHIO INSURANCE LI

Item Code	Box Number	Effective Date	Out	Date Out	Checked Out To
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Department: CREDIT GENERAL INDEMNITY CO

01863452	CL-1	06/09/2009	No		
01863453	CL-2	06/09/2009	No		
01863454	CL-3	06/09/2009	No		
01863455	CL-4	06/09/2009	No		
01863456	CL-5	06/09/2009	No		
01863457	CL-6	06/09/2009	No		
01863458	CL-7	06/09/2009	No		
01863459	CL-8	06/09/2009	No		
01863460	CL-9	06/09/2009	No		
01863461	CL-12	06/09/2009	No		
01863462	CL-11	06/09/2009	No		
01863463	CL-12	06/09/2009	No		
01863464	CL-13	06/09/2009	No		
01863465	CL-14	06/09/2009	No		
01863466	CL-15	06/09/2009	No		
01863467	CL-52	06/09/2009	No		
01863468	CL-53	06/09/2009	No		
01863469	CL-54	06/09/2009	No		
01863470	CL-55	06/09/2009	No		
01863471	CL-56	06/09/2009	No		
01863472	CL-57	06/09/2009	No		
01863473	CL-58	06/09/2009	No		
01863474	CL-59	06/09/2009	No		
01863475	CL-60	06/09/2009	No		
01863476	CL-61	06/09/2009	No		
01863477	CL-62	06/09/2009	No		
01863478	CL-63	06/09/2009	No		
01863479	CL-64	06/09/2009	No		
01863480	CL-65	06/09/2009	No		
01863481	CL-66	06/09/2009	No		
01863482	CL-67	06/09/2009	No		
01863483	CL-68	06/09/2009	No		
01863484	CL-69	06/09/2009	No		
01863485	CL-70	06/09/2009	No		
01863486	CL-71	06/09/2009	No		
01863487	CL-72	06/09/2009	No		

Inventory with Long Description**OFFICE OF OHIO INSURANCE LIQUIDATOR: OFFICE OF OHIO INSURANCE LI**

Item Code	Box Number	Effective Date	Out	Date Out	Checked Out To
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Department: CREDIT GENERAL INDEMNITY CO

01863488	CL-73	06/09/2009	No		
01863489	CL-74	06/09/2009	No		
01863490	BD-1	06/08/2009	No		
01863491	BD-2	06/08/2009	No		
01863492	BD-3	06/08/2009	No		
01863493	BD-4	06/08/2009	No		
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01863495	BD-6	06/08/2009	No		
01863496	BD-7	06/08/2009	No		
01863497	BD-8	06/08/2009	No		
01863498	BD-19	06/08/2009	No		
01863499	BD-10	06/08/2009	No		
01863500	BD-11	06/08/2009	No		
01863501	CL-16	06/09/2009	No		
01863502	CL-17	06/09/2009	No		
01863503	CL-18	06/09/2009	No		
01863504	CL-19	06/09/2009	No		
01863505	CL-20	06/09/2009	No		
01863506	CL-21	06/09/2009	No		
01863507	CL-22	06/09/2009	No		
01863508	CL-23	06/09/2009	No		
01863509	CL-24	06/09/2009	No		
01863510	CL-25	06/09/2009	No		
01863511	CL-26	06/09/2009	No		
01863512	CL-27	06/09/2009	No		
01863513	CL-28	06/09/2009	No		
01863514	CL-29	06/09/2009	No		
01863515	CL-30	06/09/2009	No		
01863516	CL-31	06/09/2009	No		
01863517	CL-32	06/09/2009	No		
01863518	CL-33	06/09/2009	No		
01863519	CL-034	06/09/2009	No		
01863520	CL-35	06/09/2009	No		
01863521	CL-36	06/09/2009	No		
01863522	CL-37	06/09/2009	No		
01863523	CL-38	06/09/2009	No		

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Item Code	Box Number	Effective Date	Out	Date Out	Checked Out To
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Department: CREDIT GENERAL INDEMNITY CO

01863524	CL-39	06/09/2009	No		
01863525	CL-40	06/09/2009	No		
01863526	CL-41	06/09/2009	No		
01863527	CL-75	06/09/2009	No		
01863528	CL-76	06/09/2009	No		
01863529	CL-77	06/09/2009	No		
01863530	CL-78	06/09/2009	No		
01863531	CL-79	06/09/2009	No		
01863532	CL-80	06/09/2009	No		
01863533	CL-81	06/09/2009	No		
01863534	CL-82	06/09/2009	No		
01863535	CL-42	06/09/2009	No		
01863536	CL-43	06/09/2009	No		
01863537	CL-44	06/09/2009	No		
01863538	CL-45	06/09/2009	No		
01863539	CL-46	06/09/2009	No		
01863540	CL-83	06/09/2009	No		
01863541	CL-47	06/09/2009	No		
01863542	CL-84	06/09/2009	No		
01863543	CL-48	06/09/2009	No		
01863544	CL-85	06/09/2009	No		
01863545	CL-49	06/09/2009	No		
01863546	CL-50	06/09/2009	No		
01863547	CL-51	06/09/2009	No		
01863548	CL-86	06/09/2009	No		
01863549	CL-87	06/09/2009	No		
01863550	CL-88	06/09/2009	No		
01863551	CL-89	06/09/2009	No		

Number of records shown on this report: 100

