

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO

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CLERK OF COURTS

MARY TAYLOR, Ohio Superintendent of  
Insurance, in her capacity as Liquidator of  
Acceleration National Insurance Company,

Plaintiff,

v.

Acceleration National Insurance Company,

Defendant.

Case No. 00CVH-11-10534

Judge Julie M. Lynch

**ORDER GRANTING LIQUIDATOR'S MOTION FOR APPROVAL OF THE  
LIQUIDATOR'S CALCULATION AND PAYMENT OF THE SECOND EARLY  
ACCESS PAYMENTS TO THE GUARANTY ASSOCIATIONS AND THE  
LIQUIDATOR'S FIRST REPORT OF NON-GUARANTY ASSOCIATION CLASS 2  
POLICYHOLDER LEVEL CLAIMS AND FIRST INTERIM DISTRIBUTION TO NON-  
GUARANTY ASSOCIATION CLASS 2 CLAIMANTS.**

This matter came before the Court upon the Liquidator's Motion for Approval of the Liquidator's Calculation and Payment of the Second Early Access Payments to the Guaranty Associations and the Liquidator's First Report of Non-Guaranty Association Class 2 Policyholder Level Claims and First Interim Distribution to Non-Guaranty Association Class 2 Claimants ("the Motion").

In the Motion, the Liquidator first seeks approval pursuant to R.C. 3903.34 and the Plan for Disbursement of ANIC Assets to Guaranty Associations ("the Plan") of her calculation and then payment of Second Early Access Payments of certain percentages of the Class 1 and Class 2 claims of the thirty-five (35) guaranty associations participating in this case. The thirty-five (35) guaranty associations participating in this case are: Alabama, Arizona, Arkansas, Colorado, Connecticut, District of Columbia, Florida, Georgia, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Missouri, Nebraska, Nevada, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South

Dakota, Tennessee, Texas, Utah, Vermont, Virginia and Washington ("the Guaranty Associations"). Upon consideration of the Motion and Exhibit A to the Motion, it appears to the Court that the Liquidator has calculated (a) the total amounts of First and Second Early Access Payments and (b) the amounts that each participating Guaranty Association should receive as a Second Early Access Payment.

In the Motion, the Liquidator also seeks approval of the Liquidator's First Report of Non-Guaranty Association Class 2 Policyholder Level Claims attached as Exhibit B to the Motion, including approval of the Liquidator's determination of the class and value of each of the claims set forth in that First Report. The Liquidator further seeks authority to make a First Interim Distribution to Non-Guaranty Association Class 2 Claimants whose claims are identified in Exhibit B to the Motion in an amount equal to thirty-nine (39%) percent of each of the allowed Class 2 claims.

Notice of the Motion was given to the Guaranty Funds and through posting on the Liquidator's website. No objection to the Motion was presented.

Upon consideration of the Liquidator's Motion, Memorandum in Support, Exhibits and matters presented at the hearing, the Court finds that good grounds exist for the Motion and that the Motion is well-taken, and, it is hereby ORDERED, ADJUDGED and DECREED as follows:

(a) The Liquidator's Motion for Approval of the Liquidator's Calculation and Payment of the Second Early Access Payments to the Guaranty Associations and the Liquidator's First Report of Non-Guaranty Association Class 2 Policyholder Level Claims and First Interim Distribution to Non-Guaranty Association Class 2 Claimants is APPROVED and GRANTED in its entirety.

(b) The Liquidator's Second Report of Guaranty Associations' Class 1 Administrative Expense Claims and Class 2 Policyholder Level Claims and Second Early Access

Payment to Guaranty Associations attached as Exhibit A to the Motion is hereby approved. The calculation of the amounts and allocation of the First and Second Early Access Payments, as set forth in Exhibit A to the Motion, are hereby approved. Further, the Liquidator's calculation of the amount of payment each Guaranty Association should receive, as set forth in Exhibit A to the Motion, is hereby approved to the extent the Guaranty Associations have not already received or are entitled to receive funds equal to or in excess of the amount set forth in Exhibit A.

(c) The Liquidator's First Report of Non- Guaranty Association Class 2 Policyholder Level Claims attached as Exhibit B to the Motion, including the determinations of the amounts and the class of each claim as set forth therein, is hereby approved. Further, the Liquidator's calculation of the amount each claimant set forth in Exhibit B to the Motion each Class 2 claimant should receive as a First Interim Distribution, as set forth in Exhibit B to the Motion, is hereby approved.

(d) The Liquidator is hereby authorized to make the Second Early Access Payments in the amounts as specifically set forth in Exhibit A to the Motion to each respective Guaranty Association that has signed and returned the Agreement between the Liquidator and the Guaranty Associations, as provided in the Plan and R.C. 3903.34(B)(4).

(e) The Liquidator is authorized to make a First interim Distribution to allowed Class 2 claimants identified on Exhibit B to the Motion as specifically reflected in Exhibit B to the Motion.

It is so ORDERED.

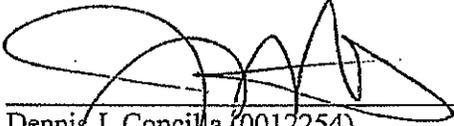
Hon. Julie M. Lynch

Judge Julie M. Lynch

Approved:

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