

IN THE COURT OF COMMON PLEAS OF FRANKLIN COUNTY, OHIO

Ann H. Womer Benjamin, Superintendent, Ohio  
Department of Insurance, in her capacity as  
Rehabilitator of Builders & Contractors  
Employee Benefit Association Trust,

Case No. 02CVH02-2010

Plaintiff,

Judge Schneider

v.

Builders & Contractors Employee Benefit  
Association Trust,

Defendant.

**ADDENDUM TO FIRST AMENDED PLAN OF REHABILITATION  
FOR BUILDERS & CONTRACTORS EMPLOYEE BENEFIT  
ASSOCIATION TRUST, IN REHABILITATION**

The Rehabilitator filed her First Amended Plan of Reorganization (the "Plan") for Builders & Contractors Employee Benefit Association Trust ("Builders & Contractors") on January 16, 2006. A hearing on the First Amended Plan was held on April 21, 2006 and the Court requested that the Rehabilitator amend paragraph 3.C. of the Plan to provide certain notice to General Creditors who may violate the injunction provided by the Plan. Accordingly, the Rehabilitator restates paragraph 3.C., on page 11, and adds the bolded provision as an Addendum to the Amended Plan:

C. Upon approval of this Amended Plan by the Rehabilitation Court, all General Creditors, regardless of whether they accept or reject the Compromise Amount, shall be permanently enjoined from pursuing collection of their claims from any individuals or entity other than from the funds collected by the Rehabilitator as set forth in this Amended Plan. The General Creditors' exclusive source for payment on their claims shall be from amounts paid under this Amended Plan. The Order approving this Amended Plan shall enjoin the General Creditors from pursuing collection of their claims from any individuals or entity

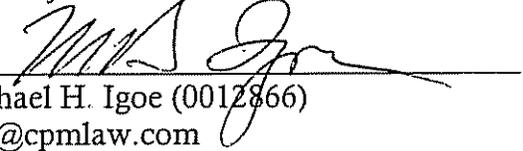
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other than Builders & Contractors. For a period of one year from the approval of the Amended Plan by the Rehabilitation Court, should the Rehabilitator receive written notice that any General Creditor is attempting to collect any amounts owed to them by Builders & Contractors from any individuals or entities in violation of the Court's injunction, the Rehabilitator shall send a written notice to the General Creditor that it may be in violation of the Court's permanent injunction and shall send to such General Creditor a copy of the Court's Order approving the Amended Plan. If the Rehabilitator is advised that such General Creditor has filed a lawsuit against such individual or entity with sufficient information to identify the location of the court wherein such lawsuit has been filed, the Rehabilitator shall also send to that court a copy of the Court Order Approving the Plan and the notice that is being sent to the General Creditor.

Having so amended the Plan, the Rehabilitator by and through counsel, hereby requests that this Court enter an Order approving the First Amended Plan of Rehabilitation, as Amended.

Respectfully submitted,

JIM PETRO  
Attorney General, State of Ohio

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State of Ohio, representing Ann H.  
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Contractors Employee Benefit  
Association Trust