

**IN THE FRANKLIN COUNTY COURT OF COMMON PLEAS
CIVIL DIVISION**

**MARY JO HUDSON,
SUPERINTENDENT,
OHIO DEPARTMENT OF
INSURANCE, IN HER CAPACITY AS
REHABILITATOR OF THE
GUARANTEE TITLE AND TRUST
COMPANY**

Plaintiff,

v.

**THE GUARANTEE TITLE
AND TRUST COMPANY (IN
REHABILITATION),**

Defendant.

Case No. 08 CVH 07 10725

JUDGE GUY L. REECE, II

ORDER

**FILED
COMMON PLEAS COURT
FRANKLIN CO. OHIO
2008 SEP -11 AM 9:30
CLERK OF COURTS**

This cause came before this Court at the request of Plaintiff, Mary Jo Hudson, in her capacity as Rehabilitator (“Rehabilitator”) of Defendant Guarantee Title and Trust Company (“Guarantee”), for an order reconciling paragraphs 7(c) and 17 of the July 28, 2008 Agreed Order Appointing Rehabilitator (“Rehabilitation Order”). Over the past 30 days, the Rehabilitator has made some determinations, in her discretion that certain pending litigation and certain future litigation may need to proceed forthwith, notwithstanding the ninety day stay of Paragraph 17. Such pending and potential litigation includes Defendant Guarantee’s affirmative right to recover recoupment of monies owed to it from among others, certain of its agents. The Rehabilitator considers the timely pursuit of these recoupment claims and actions as necessary in the interest of justice and for the protection of policyholders, creditors and the public and needed in order for the Rehabilitator to determine whether reorganization, reformation or other

transformation of the company is appropriate. For good cause shown, this Court reconciles its Rehabilitation Order as follows:

IT IS THEREFORE ORDERED that notwithstanding Paragraph 17 of the Rehabilitation Order, the Rehabilitator is specifically permitted to pursue pending recoupment claims and other pending or future litigation when the Rehabilitator, in her discretion, considers it necessary in the interest of justice and for the protection of policyholders, creditors and the public. The Rehabilitator will from time to time as this Court requires report to this Court the status of such litigation.

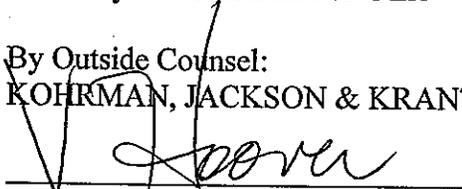
IT IS SO ORDERED.


JUDGE GUY L. REECE, II
4 Sep 08

APPROVED:

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By Outside Counsel:
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Ohio Department of Insurance, in her
Capacity as Rehabilitator of Guarantee Title
and Trust Company*