

IN THE COURT OF COMMON PLEAS  
FRANKLIN COUNTY, OHIO

MARY TAYLOR,  
Superintendent of Insurance  
in her Capacity as Liquidator of  
The Guarantee Title and Trust Company,:

Plaintiff,

vs.

The Guarantee Title and Trust Company,:

Defendant.

CASE NO. 08CVH07-10725

JUDGE GUY L. REECE, II

FILED  
COMMON PLEAS COURT  
FRANKLIN CO. OHIO  
2011 APR 12 PM 2:28  
CLERK OF COURT

**PLAINTIFF'S MOTION FOR AUTHORITY TO DESTROY CERTAIN  
RECORDS OF THE GUARANTEE TITLE AND TRUST COMPANY**

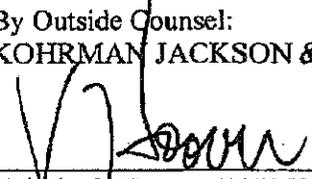
Plaintiff Mary Taylor, Superintendent of Insurance, in her capacity as the Liquidator (the "Liquidator") of Guarantee Title and Trust Company ("GTT"), respectfully requests that this Court enter an Order authorizing the Liquidator to destroy certain GTT records no longer useful to the administration of the GTT liquidation estate. The destruction of these records is in accord with O.R.C. § 3903.48 and will reduce the administrative expenses associated with keeping and storing the records and thereby conserve the estate assets for the benefit of policyholders and claimants.

This Motion is supported by the attached Memorandum in Support.

Respectfully submitted,

**MIKE DEWINE**  
**Attorney General State of Ohio**

By Outside Counsel:  
**KOHRMAN JACKSON & KRANTZ PLL**



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*Attorneys for Mary Jo Hudson, Superintendent  
of Insurance, in her Capacity as Liquidator of  
The Guarantee Title and Trust Company*

## MEMORANDUM IN SUPPORT

On October 27, 2008, this Court ordered GTT into liquidation under O.R.C. Chapter 3903. The Liquidation Order and O.R.C. § 3903.48 grant the Ohio Superintendent of Insurance, in her capacity as statutory liquidator of GTT (the "Liquidator"), the authority to determine when company records are no long useful and "...recommend to the court and the court shall direct what records should be retained for future reference and what should be destroyed." O.R.C. § 3903.48.

As part of the administration of this liquidation estate, the Liquidator has continued to store records that GTT placed in storage prior to liquidation. As the liquidation proceeds, the Liquidator analyzes whether or not these and other records are needed and/or useful in the administration of the particular liquidation estate. The Liquidator has conducted such an analysis of the list of documents summarized on Exhibit A, attached. The Liquidator first requested an order authorizing the destruction of these records on September 8, 2010, which this Court did not approve and "tabled" until a later date. The Liquidator now renews her prior motion. The Liquidator respectfully seeks an order of destruction for the records identified on Exhibit A because it is now clear that these pre-liquidation records are not needed for the claims adjudication process or otherwise in this liquidation.

The Liquidator seeks the requested relief because she no longer requires these particular records to administer the GTT liquidation estate. The records the Liquidator requests and recommends be destroyed are no longer useful. In furtherance of her statutory duties, the Liquidator seeks to conserve estate assets by destroying useless records now. By destroying the records detailed in Exhibit A, located in Cincinnati, Ohio, the Liquidator can save expenses by vacating the warehouse.

None of these pre-liquidation documents which will be destroyed are necessary for the ongoing estate administration. The records were all placed in storage by the company officials

years prior to liquidation and have not been accessed by the Liquidator. None of these records have been used in the claims adjudication process, which (barring unresolved objections) will be completed on or shortly after April 15, 2011 for all but two claims which have an April 23, 2011 objection deadline. The records must be destroyed at some point and, by doing so prior to having to pay the May 1, 2011 storage fee, the estate will save storage costs.

For the reasons stated above, the Liquidator respectfully requests that this Court enter an Order pursuant to the Liquidation Order and O.R.C. § 3903.48, which authorizes her to destroy the records in the Cincinnati, Ohio warehouse.

Respectfully submitted,

**MIKE DEWINE**  
**Attorney General State of Ohio**

By Outside Counsel:  
**KOHRMAN JACKSON & KRANTZ PLLC**



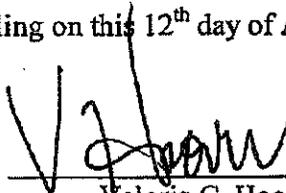
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*Attorneys for Mary Taylor, Superintendent of Insurance,  
in her Capacity as Liquidator of The Guarantee Title and  
Trust Company*

**CERTIFICATE OF SERVICE**

I hereby certify that in accordance with paragraph 41 of the Liquidation Order, a true and accurate copy of the *Plaintiff's Motion for Authority to Destroy Certain Records of The Guarantee Title and Trust Company* was posted on the Liquidator's website ([www.ohliq.com](http://www.ohliq.com)) substantially contemporaneous with the filing on this 12<sup>th</sup> day of April, 2011.



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Valoria C. Hoover (0059596)

Boxed files stored at Ziccardi Storage

**EXHIBIT A**

Sharonville	609 boxes
Indy North	45 boxes
Anderson Indiana	30 boxes
All Ohio	70 boxes
Cleveland	30 boxes
Summit Title	30 boxes
Lansing MI Office	60 boxes
Grand Rapids MI Office	120 boxes
Flint MI Office	90 boxes
Waterford MI Office	80 boxes
All American	9 boxes
Centerville	101 boxes
Commonwealth Assurance	9 boxes
Closed Agents (GTT)	24 boxes
GTT Payables Prior to 2005	16 boxes
Wheatland	12 boxes
Grand Rapids canceled cks	85 boxes
Bay City canceled cks	18 boxes
Saginaw Canceled cks	4 boxes
Phillips	4 boxes
Nierenberg	4 boxes
Texas	55 boxes
Heather's Claim files	119 boxes
GTT Payroll files cabinet prior to 2005	
Waterford canceled cks	30 boxes
Bay City Accounting	10 boxes
TQ Grove City	12 boxes
Reynoldsburg	96 boxes
Bay City	48 boxes
Flint cks	21 boxes
Cleveland cks	31 boxes
Indy North cks	4 boxes
Anderson Cks	4 boxes
Assorted Boxes of All Branch	71 boxes
Cks and deposits	
Sharonville cks	30 boxes

TOTAL

1981 BOXES + 33,677 files @ 17 per box

10 Copiers

*2.4 Tons weight*