

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

AUG 15 2014

TIM RHODES
COURT CLERK

43

STATE OF OKLAHOMA, ex rel.
JOHN DOAK, in his capacity as Insurance
Commissioner and as Receiver
for Driver's Insurance Co.,

Plaintiff,

v.

DRIVER'S INSURANCE COMPANY, a licensed domestic
insurer in the State of Oklahoma, in Receivership,

Defendant.

Case No. CJ-2013-694

Judge Bryan C. Dixon

**ORDER DETERMINING CLAIMS AND
APPROVING RECEIVER'S FIRST REPORT ON CLAIMS**

On the 15th day of August, 2014, there came on for hearing the Receiver's First Report on Claims Evaluation and Request for Confirmation of Receiver's Recommendations filed with the Court on May 9, 2014 ("Receiver's Report"). No objections were filed against the Receiver's Report, and the Court, for good cause shown, and being fully advised, find and concludes as follows:

1. The Receiver made good faith and sufficient efforts to determine the identity of all persons who may have claims against Driver's Insurance Company ("Driver's") and mailed approximately 15,177 notices of liquidation to potential claimants. Additionally, notice of the proof of claim process and the availability of the proof of claim packet was published on June 14, 2013 on the Oklahoma Receivership Office website, and then updated after the October 18, 2013 Order.
2. A total of 1,207 timely proofs of claim were submitted to the Receiver.
3. The Receiver's Report presents the Receiver's recommendation as to four (4) Class 6 claims that were timely filed.

4. On May 15, 2014, the Receiver mailed the written notice to each of the claimants whose claims are addressed in the Receiver's Report. Such notice stated the deadline for filing objections to recommendations in the Receiver's Report, as well as the date, time and place of the Court's hearing on the Receiver's Report. Additionally, the notice contained the specific recommendations of the Receiver as to the claim of the claimant to whom the notice was sent.

5. The Notice which the Receiver sent to each such claimant was the Notice approved by the Court on May 14, 2014, and the Receiver's notices have adequately protected any and all due process interests of the claimants.

6. The Receiver received no objections to the recommendations contained in the Receiver's Report.

7. The Receiver's recommendations as to the 4 claims addressed in the Receiver's Report, as detailed in Exhibit 1 of the Receiver's Report, are supported by the law and the facts and the Receiver's recommendations should be approved by this Court.

8. The denial of any timely-filed proof of claim included in the Receiver's Report does not alter the statutory obligation, if any, of the Oklahoma Property & Casualty Insurance Guaranty Association or other applicable state guaranty fund, to provide indemnity and defense of a "covered claim" as defined by the Oklahoma Property & Casualty Insurance Guaranty Association Act, 36 O.S. § 2004 (7), or any other State's applicable statute.

9. There is no just reason to delay the entry of a final, appealable Judgment as to the matters hereby adjudicated. Good cause exists to enter this order as a final appealable Order, pursuant to 12 O.S. § 994(A).

10. This is a final appealable order as to the matters addressed herein for purposes of 36 O.S. § 1902 (H) and in accordance with 36 O.S. § 1918 (D).

11. Pursuant to the Receiver's Request, the Receiver shall identify the claims on the attached Exhibits by reference to the claim number and shall redact from the Exhibit the names of the claimants.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Receiver's Report is hereby **APPROVED** and the recommendations contained therein, as set forth in the attached Exhibit 1 of the Receiver's Report, as hereby **ACCEPTED** and **APPROVED** in their entirety.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each of the claims addressed in the Receiver's Report identified in Exhibit 1 attached to this Order are properly classified as a Class 6 claim under 36 O.S. § 1927.1 and are allowed, allowed in part, or disallowed, in accordance with the Receiver's recommendations, as reflected in the "Amount Allowed" column on Exhibit 1 attached to this Order.

IT IS FINALLY ORDERED, ADJUDGED AND DECREED that this Order is hereby certified, pursuant to 12 O.S. § 994(A), to be a final, appealable Order and, accordingly, the Court Clerk is hereby directed to file this instrument as a final, appealable Order.

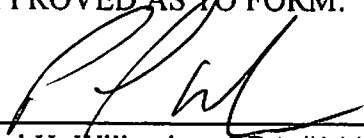
SIGNED this 15th day of August, 2014 **BRYAN C. DIXON**

The Honorable Bryan C. Dixon
Judge of the District Court

I, **TIM RHODES**, Court Clerk for Oklahoma County, Okla. certify that the foregoing is a true and complete copy of the instrument as appearing on record in the District Court Office of Oklahoma County, Okla. this 15 day of August, 2014

By _____ **TIM RHODES**, Court Clerk Deputy

APPROVED AS TO FORM:



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ATTORNEYS FOR PLAINTIFF,
STATE OF OKLAHOMA, ex rel.
JOHN DOAK, INSURANCE
COMMISSIONER for the State of Oklahoma,
as Receiver for Driver's Insurance Company

CERTIFICATE OF MAILING

I hereby certify that I have this 15 day of August, 2014, mailed a true and correct copy of the above and foregoing document with proper postage prepaid thereon to:

Stephen Jones
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114 E. Broadway, Suite 1100
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John Ratzel
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