

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

JUN 28 2018

RICK WARREN
COURT CLERK

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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 Lisa T. Davis

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

On the 28th day of June, 2018, there came on for hearing the Receiver's Eighth Report on Claims Evaluation and Request for Confirmation of Receiver's Recommendations filed with the Court on May 7, 2018 ("Receiver's Eighth Report"). No objections were filed against the Receiver's Report with this Court, and the Court, for good cause shown, and being fully advised, finds 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 Eighth Report presents the Receiver's recommendation as to 35 Class 3 claims.

4. On May 14, 2018, 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. An Amended Notice of Hearing was mailed to the claimants on June 5, 2018. 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 Notices which the Receiver sent to each such claimant was the Notice approved by the Court on May 14, 2018 and filed of record on May 7, 2018 and the Amended Notice of Hearing filed on June 4, 2018 and mailed on June 5, 2018, and the Receiver's notices have adequately protected any and all due process interests of the claimants.

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

7. The Receiver's recommendations as to the 35 Class 3 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 Exhibits the names of the claimants.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Receiver's Eighth Report is hereby **APPROVED** and the recommendations contained therein, as set forth in attached Exhibit 1 of the Receiver's Report, are 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 and attached to this Order are properly classified as a Class 3 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 28th day of June, 2018.

LISA DAVIS

The Honorable Lisa C. Davis **CERTIFIED COPY**
AS FILED OF RECORD
IN DISTRICT COURT

JUN 28 2018

RICK WARREN COURT CLERK
Oklahoma County

Rick Warren

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 SERVICE

I hereby certify that I have this 28th day of June, 2018, emailed and/or mailed a true and correct copy of the above and foregoing document with proper postage prepaid thereon to:

Oklahoma Insurance Department
3625 NW 56th Suite 100
Oklahoma City, OK 73112
via email with consent

Oklahoma Receivership Office
3613 NW 56th, Suite 330
Oklahoma City, OK 73112
via email with consent

Joe Holloway
National Guaranty Insurance Company
c/o Regulatory Services Group
100 Pine Street, 26th Floor
San Francisco, CA 94111



Jamie Bloyd