

NOV 12 2015

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

TIM RHODES
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 Bryan C. Dixon

**ORDER ESTABLISHING DEADLINES RELATING
TO RECEIVER'S THIRD REPORT ON CLAIMS EVALUATION
AND SETTING HEARING DATE FOR RECEIVER'S REPORT**

ON THIS 12th day of November, 2015, the Receiver's Third Report on Claims Evaluation and Request for Confirmation of Receiver's Recommendations filed on November 10, 2015, comes before the undersigned Judge of the District Court. The Court, being fully advised of the premises and for good cause shown, find and concludes that:

1. Deadlines should be established for: (a) a claimant to file an objection to the Receiver's recommendations as to the claimant's claim; and (b) the Receiver to file a response to any objections filed;
2. The Receiver's Report, including the recommendations contained therein, should be set for hearing; and
3. The attached Notice of Objection Deadline and Hearing on the Receiver's Third Report on Claims Evaluation and Request for Confirmation of Receiver's Recommendations is proper on all respects.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that any claimant having an objection to the Receiver's recommendations as set forth in the Receiver's Report filed in this proceeding on November 10, 2015, shall file such objection with this Court and serve a copy of the objection on the Receiver's counsel on or before December 10, 2015.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, on or before January 10, 2016, the Receiver shall file with this Court his response to each timely filed objection to the Receiver's recommendations.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Receiver's Report, any timely filed objections to the Receiver's recommendations in the Receiver's Report, and any responses of the Receiver to such objections, are hereby set for hearing on January 15, 2016 at 1:30 p.m. before the Honorable Bryan C. Dixon, Judge of the District Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Receiver serve the Notice by first class mail, postage prepaid, to each of the claimants whose claims are listed on Exhibits 1, 2 and 3 to the Receiver's Report, with an exhibit setting forth the Receiver's recommendation in respect to the relevant claim, to the claimant's address stated on the claimant's proof of claim, or the most recent address for the claimant on the records of the Receiver.

SIGNED this 12 day of November, 2015.

BRYAN C. DIXON

JUDGE OF THE DISTRICT COURT

APPROVED BY:



Stephen Jones, OBA #4805

April McCurdy Davis, OBA #17854

JONES, OTJEN, DAVIS & BLOYD

P.O. Box 472
Enid, Oklahoma 73702-0472
(580) 242-5500 (phone)
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AND

Kelley C. Callahan, OBA #1429
OKLAHOMA INSURANCE DEPARTMENT
3613 NW 56th, Suite 330
Oklahoma City, OK 73112
(405) 521-2828 (phone)
(405) 522-0125 (fax)
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 12th day of November, 2015, mailed a true and correct copy of the above and foregoing document with proper postage prepaid thereon to:

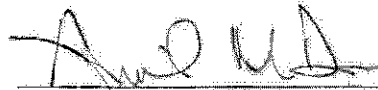
Stephen Jones
JONES, OTJEN, DAVIS & BLOYD
P.O. Box 472
Enid, Oklahoma 73702-0472

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

Oklahoma Receivership Office
3613 NW 56th, Suite 330
Oklahoma City, OK 73112

Oklahoma Insurance Department
3625 NW 56th Suite 100
Oklahoma City, OK 73112

Terry Smith
5807 NW 58th Street
Tulsa, OK 74135



April M. Davis

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

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DRIVER'S INSURANCE COMPANY, a licensed domestic
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Defendant.

Case No. CJ-2013-694

Judge Bryan C. Dixon

**NOTICE OF HEARING ON THE RECEIVER'S THIRD REPORT ON CLAIMS
EVALUATION AND REQUEST FOR CONFIRMATION
OF RECEIVER'S RECOMMENDATION**

You are hereby notified that on January 15, 2016 at 1:30 p.m., a hearing will be held before the Honorable Bryan C. Dixon, District Court Judge of Oklahoma County, Oklahoma, at which time the Receiver's Third Report on Claim Evaluation and Request for Confirmation of Receiver's Recommendation shall be heard. The hearing will be conducted at the Oklahoma County Courthouse, 321 Park Avenue, Room #821, Oklahoma City, Oklahoma.

You are receiving this Notice because the Receiver has evaluated your claim and such claim is ready for adjudication. The Exhibit attached to this Notice sets forth the Receiver's recommendations to the Court in relation to your claim.¹ Your claim has been assigned the Proof of Claim number (POC#) indicated on the attached Exhibit. The attached Exhibit also provides

¹ The Receiver's recommendation to the Court regarding your claim and other claims set for hearing on the referenced hearing date are set forth in the Receiver's Report, which was filed in the above-referenced matter on November 10, 2015. A copy of the Receiver's Report is available on the website for the Oklahoma Receivership Office at www.okaro.org.

information specific to your claim including the amount of your claim, the Receiver's recommendation as to the amount of your claim to be allowed, if any, and the Receiver's recommendation regarding the classification of your claim, which classification reflects the nature of your claim and the priority the Receiver recommends be given to your claim under Oklahoma law, OKLA. STAT. tit. 36, § 1927.1.

IF YOU DO NOT WISH TO OBJECT TO THE RECEIVER'S RECOMMENDATION, YOU ARE NOT REQUIRED TO TAKE ANY ACTION AT THIS TIME. IF YOU WISH TO OBJECT TO THE RECEIVER'S RECOMMENDATION, YOU MUST FILE A PROPER, WRITTEN OBJECTION WITH THE COURT NO LATER THAN December 10, 2015. To be a proper, written objection:

- (1) the objection must contain the case information located at the top of this Notice (State of Oklahoma, ex. rel. John Doak, Insurance Commissioner v. Driver's Insurance Company Case No. CJ-2013-694, Judge Bryan Dixon);
- (2) the objection must be filed with the Clerk of the Oklahoma County District Court, 320 Robert S. Kerr Avenue, Oklahoma City, Oklahoma 73102, and a copy mailed to the Receiver's counsel at the address show below;
- (3) the objection must be signed by the claimant or the claimant's representative;
- (4) the objection must be typewritten on a good grade of which paper size 8 ½ by 11 inches, given the name, current address and telephone number of the claimant making the objection, including the name and position of the person signing the objection, if the claimant is a business; and
- (5) the objection must state the exact grounds on which the objection is based and be accompanied by a concise brief that contains (a) a written statement of material facts as to which the objecting party contends no genuine issue exists verified by a person with knowledge of the facts; (b) references to supporting documentation submitted with the proof of claim; and (c) citation to applicable authority supporting the objection;

- (6) if you wish to present the Court with oral argument on your objection at the hearing, the objection must indicate your attention to appear at the hearing and make such oral argument. Failure to expressly state an intention to make oral argument in your objection may be deemed by the Court to be a waiver of the right to oral argument.

Failure to file a timely and proper written objection as described above may result in your objection being denied. If the Court approves your claim in whole or in part, it does not mean that you will actually receive the allowed amount as ordered by the Court. The amount of payment on your claim, if any, is dependent upon the class or priority the Court assigns your claim based on Oklahoma law, and the assets in the estate available for payment. Certain legal matters still pending before the Court may prevent the payment of claims for some time. Any questions regarding this Notice, the Receiver's Recommendations as to your claim or any of the other claims to be heard during the hearing on the date referenced above should be directed to the Assistant Receiver's Office. Contact information for the Assistant Receiver is set forth below.

Assistant Receiver

Terry Smith, Assistant Receiver
Driver's Insurance Company in Receivership
3613 NW 56th Suite 330
Oklahoma City, OK 73112
(405) 947-0022 (phone)
(405) 947-0046 (fax)

Receiver's Counsel:

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April Davis
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