

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

SEP 12 2017

RICK WARREN
COURT CLERK

36 _____

STATE OF OKLAHOMA, ex rel.)
JOHN D. DOAK, Insurance Commissioner,)
)
Petitioner,)
)
v.)
)
NEW CROWN MANAGEMENT)
CORPORATION, INC., d/b/a CROWN HILL)
CEMETERY merchandise trust and perpetual)
care fund in the State of Oklahoma)
)
Defendant.)

Case No. CV-2016-175

**RECEIVER'S SECOND REPORT ON CLAIMS
EVALUATION AND REQUEST FOR CONFIRMATION OF
RECEIVER'S RECOMMENDATION**

John D. Doak, Insurance Commissioner, as Receiver of New Crown Management Corporation, Inc., d/b/a Crown Hill Cemetery ("Crown Hill") and pursuant to 36 O.S. § 1918 respectfully submits to this Court the Receiver's Second Report on Claims Evaluation and Request for Confirmation of Receiver's Recommendation, and in support thereof, would show the Court as follow:

BACKGROUND

1. On February 18, 2016, John D. Doak, Insurance Commissioner of the State of Oklahoma was appointed as Receiver of Crown Hill and placed Crown Hill into Receivership and Liquidation.
2. The Liquidation Order required the Receiver to notice all persons holding claims against Crown Hill to file proofs of claims. Such Notice is also mandated by 36 O.S. § 1930. The

August 25, 2016 Order approved the form of the notice and proof of claims. The Receiver took all reasonable efforts to determine the identity of all persons who may have claims against Crown Hill and to provide them with notice to allow them opportunity to file a claim before the October 15, 2016 claims bar date.

3. The Receiver distributed 275 notice of proof of claim process and the availability of the proof of claim was published on August 25, 2016 and posted on the Oklahoma Receivership Office website <http://www.okaro.org>.

4. On October 18, 2016, the Receiver filed the Receiver's Report of Filed Claims. The Receiver's report stated that 32 proofs of claim have been filed with the Receiver. Since that date the following is the list of untimely filed proofs of claim:

POC NO.	POC AMOUNT
1033	\$1,794.14
1034	\$1,082.50

5. The Receiver informs the Court that 23 Class 6 claims are ready for adjudication at this time. Pursuant to 36 O.S. § 1927.1, Class 6 is "Claims of any person, including claims of state or local governments, except those specifically classified elsewhere in this section."

6. There remain 2 late filed claims. All claims appear to be claims for Class 6 services. As claims become ready for adjudication, the Receiver will file additional reports.

EXPLANATION OF RECEIVER'S RECOMMENDATION

7. Attached hereto as Exhibit 1 is a report detailing the Receiver's recommendation for claims approved in part and claims approved in whole. The table below is a summary of the Receiver's recommendations with respect to the approved claims that are ready for adjudication:

Class	Amount Claimed	Recommended Allowance	Recommended Denial
6	\$25,675.29	\$15,746.80	\$9,928.09

8. Attached hereto as Exhibit 2 is a report detailing the Receiver's recommendation for denied claims. The table below is a summary of the Receiver's recommendations with respect to the denied claims that are ready for adjudication:

Class	Amount Claimed	Recommended Allowance	Recommended Denial
6	\$5,030.00	\$0.00	\$5,030.00

9. The Receiver has analyzed the claims reflected on Exhibits 1 and 2 and recommends that each of the claims be classified as a Class 6 claim for purposes of 36 O.S. § 1927.1.

10. The "Amount Claimed" columns on Exhibits 1 and 2 reflect the amount that the claimant sought through the particular claim. The "Amount Allowed" columns set forth the amount the Receiver recommends that the Court allow as to that particular claim.

11. The Proof of Claim form filed by each claimant contains the following language in bold type: **"If you have a change of address, you are required to inform the receiver of the new address in order to receive any payment that might be due."** To the extent any Notice of this proceeding is returned undeliverable, the Receiver asks the Court to find that the due process rights of the claimant have not been impaired and to order the denial of their claim without further attempts to give actual notice.

12. In compliance with the due process required by 36 O.S. § 1918, the Receiver asks the court to set a hearing on the claims and establish a date certain for filing the objection to the Receiver's recommendation.

WHEREFORE, the Receiver prays that this Court enter an Order for the following: 1) order that notice of opportunity to object and be heard on the claims on the Exhibits be given by the Receiver; 2) establish a date for filing an objection to the recommendation of the Receiver; 3)

establish a date for hearing the Receiver's recommendation to the court and any objections thereto; 4) upon hearing any objections thereto, enter an order approving the Receiver's Report; and 5) such other relief as the Court deems appropriate.

Respectfully submitted,



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ATTORNEYS FOR RECEIVER

CERTIFICATE OF MAILING

I, hereby certify that on this 12 day of Sept., 2017, I caused to be mailed a true and correct copy of the within foregoing instrument and/or electronic mail to:

Donna Wilson, CIR
Oklahoma Receivership Office, Inc.
Three Corporate Plaza
3613 NW 56th Street, Suite 330
Oklahoma City, OK 73112

Oklahoma Insurance Department
Five Corporate Plaza
3625 NW 56th Street, Suite 100
Oklahoma City, OK 73112

Michael G. McConnell
New Crown Management Corporation, Inc.
4301 E 66th Street North
Tulsa, OK 74117

Aric White
White Enterprises, LLC
17897 S. Yale Avenue, Suite 1900
Haskell, OK 74436



Barron B. Brown
Sara A. Worten
Lisa M. Torneten

**NEW CROWN MANAGEMENT CORPORATION
d/b/a CROWN HILL CEMETERY**

POC NO.	PROOF OF CLAIM AMOUNT	ALLOWED AMOUNT	DISALLOWED AMOUNT
1003	\$1,009.79	\$1,000.00	\$9.79
1004	\$2,056.88	\$1,039.00	\$1,017.88
1005	\$870.00	\$870.00	\$0.00
1006	\$1,227.71	\$850.00	\$377.71
1007	\$1,650.00	\$950.00	\$700.00
1012	\$1,270.00	\$1,270.00	\$0.00
1013	\$377.71	\$60.00	\$317.71
1015	\$1,751.00	\$1,600.00	\$151.00
1017	\$1,105.41	\$150.00	\$955.41
1021	\$1,231.00	\$1,231.00	\$0.00
1022	\$1,155.77	\$1,120.00	\$35.77
1024	\$5,009.12	\$810.00	\$4,199.12
1027	\$1,010.90	\$546.80	\$464.10
1028	\$2,800.00	\$1,400.00	\$1,400.00
1030	\$1,500.00	\$1,500.00	\$0.00
1031	\$1,650.00	\$1,350.00	\$300.00
	<u>\$25,675.29</u>	<u>\$15,746.80</u>	<u>\$9,928.49</u>



NEW CROWN MANAGEMENT CORPORATION

d/b/a CROWN HILL CEMETERY

POC NO.	PROOF OF CLAIM AMOUNT	ALLOWED AMOUNT	DISALLOWED AMOUNT
1002	\$300.00	\$0.00	\$300.00
1010	\$995.00	\$0.00	\$995.00
1016	\$1,400.00	\$0.00	\$1,400.00
1018	\$400.00	\$0.00	\$400.00
1023	\$285.00	\$0.00	\$285.00
1026	\$950.00	\$0.00	\$950.00
1032	\$700.00	\$0.00	\$700.00
	<u>\$5,030.00</u>	<u>\$0.00</u>	<u>\$5,030.00</u>

