

IN THE DISTRICT COURT FOR OKLAHOMA COUNTY
STATE OF OKLAHOMA

OCT 25 2016

RICK WARREN
COURT CLERK

31 _____

STATE OF OKLAHOMA, ex rel,)
JOHN DOAK, Insurance Commissioner for)
the State of Oklahoma,)

Plaintiff,)

vs.)

PARK AVENUE PROPERTY AND)
CASUALTY COMPANY f/k/a PROVIDENCE)
PROPERTY AND CASUALTY INSURANCE)
COMPANY, a domestic insurance company,)

Defendant.)

Case No. CJ-2009-11178
The Honorable Roger H. Stuart

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

On the 21 day of October, 2016, the Receiver's Second Report on Claims Evaluation and Request for Confirmation of Receiver's Recommendations ("Receiver's Second Report") filed on October 17, 2016, comes before the undersigned Judge of the District Court. The Court, being fully advised of the premises and for good cause, finds and concludes that:

1. A deadline should be established for a claimant to file an objection to the Receiver's recommendations as to the claimant's claim and the Receiver should be allowed to file a response to any objections filed;

2. The Receiver's Second 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 Second Report on Claims Evaluation and Request for Confirmation of Receiver's Recommendations (the "Notice") is proper in 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 Second Report filed in this proceeding on October 17, 2016 shall file such objection with this Court and serve a copy of the objection on the Receiver's counsel on or before November 24, 2016 .

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the Receiver shall be allowed to file with this Court a response to each objection to the Receiver's recommendations.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Receiver's Second Report, any timely filed objection to the Receiver's recommendations in the Receiver's Second Report, and any responses of the Receiver to such objections, are hereby set for hearing on December 1, 2016 at 11:00 a.m. before the Honorable Roger H. Stuart, 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 or 2 to the Receiver's Second Report, with an exhibit setting forth the Receiver's recommendations 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 25 DAY of Oct 2016.

ROGER H. STUART

JUDGE OF THE DISTRICT COURT

CERTIFIED COPY
AS FILED OF RECORD
IN DISTRICT COURT

OCT 25 2016

RICK WARREN COURT CLERK
Oklahoma County

Rick Warren

APPROVED BY:



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-AND-

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**ATTORNEYS FOR PLAINTIFF,
STATE OF OKLAHOMA, ex rel.
JOHN DOAK, INSURANCE
COMMISSIONER**

IN THE DISTRICT COURT FOR OKLAHOMA COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel.)	
JOHN DOAK, Insurance Commissioner,)	
)	
Plaintiff,)	
)	
vs.)	
)	Case No. CJ-2009-11178
PARK AVENUE PROPERTY AND)	<i>The Honorable Roger H. Stuart</i>
CASUALTY INSURANCE COMPANY f/k/a)	
PROVIDENCE PROPERTY AND CASUALTY)	
INSURANCE COMPANY, a domestic)	
insurance company,)	
)	
Defendant.)	

**NOTICE OF OBJECTION DEADLINE AND HEARING ON THE
RECEIVER'S SECOND REPORT ON CLAIMS EVALUATION AND
REQUEST FOR CONFIRMATION OF RECEIVER'S RECOMMENDATIONS**

You are hereby notified that on December 1, 2016 at 11:00 a.m. a hearing will be held before the Honorable Roger H. Stuart, District Court Judge of Oklahoma County, Oklahoma, at which time the Receiver's Second Report on Claims Evaluation and Receiver's Request for Confirmation of Receiver's Recommendations ("the Receiver's Second Report") shall be heard. The hearing will be conducted at the Oklahoma County Courthouse, 321 Park Avenue, Room # 201, 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

¹The Receiver's recommendations to the Court regarding your claim and other claims set for hearing on the referenced hearing date are set forth in the Receiver's Second Report, which was filed in the above-entitled matter on October 17, 2016. A copy of the Receiver's Second Report is available on the website for the Oklahoma Receivership Office at www.okaro.org.

Claim number ("POC #") indicated on the attached Exhibit. The attached Exhibit also provides 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, 36 O.S. § 1927.1.

IF YOU DO NOT WISH TO OBJECT TO THE RECEIVER'S RECOMMENDATIONS, YOU ARE NOT REQUIRED TO TAKE ANY ACTION AT THIS TIME. IF YOU WISH TO OBJECT TO THE RECEIVER'S RECOMMENDATIONS, YOU MUST FILE A PROPER, WRITTEN OBJECTION WITH THE COURT NO LATER THAN NOVEMBER 24, 2016. 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. Park Avenue Property and Casualty Insurance Company f/k/a Providence Property and Casualty Insurance Company, Case No. CJ-2009-11178, Judge Roger H. Stuart);
- (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 shown 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 white paper size 8 ½ by 11 inches, give 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 intention 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 Second Report, 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's Office is set forth below.

Assistant Receiver's Office

Mark D. Tharp, Assistant Receiver
300 West Osborn Road, Suite 500
Phoenix, AZ 85013
Phone: (602) 277-4807 or 1-800-388-2427
Fax: (602) 274-9849

Receiver's Counsel Address:

John M. O'Connor
William W. O'Connor
Jon M. Payne
Newton O'Connor Turner & Ketchum
15 West Sixth Street, Suite 2700
Tulsa, OK 74119
(918) 587-0101 (telephone)
(918) 587-0102 (facsimile).

Park Avenue Property and Casualty Company In Liquidation

**EXHIBIT to NOTICE OF OBJECTION DEADLINE AND HEARING ON THE RECEIVER'S
SECOND REPORT ON CLAIMS EVALUATION AND REQUEST FOR CONFIRMATION OF
RECEIVER'S RECOMMENDATIONS**

CLAIMANT:

ADDRESS:

PROOF OF CLAIM NUMBER:

RECOMMENDED PRIORITY CLASSIFICATION:

AMOUNT CLAIMED:

RECOMMENDED AMOUNT ALLOWED:

REMARK CODE(S):

In some instances, claimants have submitted claims to Imperial Casualty and Indemnity Company that should have been submitted to Park Avenue Property and Casualty Insurance Company. The Receiver has treated the claim as if filed in the proper estate.

If you have a change of address, you must inform the Assistant Receiver at the address below of your new address in order to receive any further correspondence regarding your Proof of Claim.

If the Receiver received your proof of claim after the bar date of February 15, 2011, the Receiver's Recommended Priority Classification above will be "Untimely" and the Receiver will further recommend that any amount the Court may allow to your claim be paid only after all other claimants with timely claims are paid in full with interest.

If you have any questions about your claim, the attached Notice of Hearing, or the objection process, please contact the Assistant Receiver's office at 1-800-388-2427.