

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

FILED IN DISTRICT COURT  
OKLAHOMA COUNTY

NOV 30 2017

RICK WARREN  
COURT CLERK  
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STATE OF OKLAHOMA, ex rel. )  
JOHN DOAK, Insurance Commissioner, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
PARK AVENUE PROPERTY AND )  
CASUALTY INSURANCE 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 REPORT ON CLAIMS EVALUATION AND REQUEST  
FOR CONFIRMATION OF RECEIVER'S RECOMMENDATION  
AND SETTING HEARING DATE**

On this 29 day of November, 2017, the Receiver's Report on Claims Evaluation and Request for Confirmation of Receiver's Recommendation ("Receiver's Report"), filed on October 16, 2017, 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. Deadlines should be established for: (a) a claimant to file an objection to the Receiver's recommendations set forth in the Receiver's Report; 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 Report on Claims Evaluation and Request for Confirmation of Receiver's Recommendation (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 set forth in the Receiver's Report shall file such objection with this Court and serve a copy of the same on the Receiver's counsel, identified below, on or before **January 11 2018**.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that, on or before **January 26, 2018**, the Receiver shall file with this Court his response to each timely filed objection to the Receiver's recommendations contained in the Receiver's Report.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the Receiver's Report, any objections to the Receiver's recommendations in the Receiver's Report filed herein, and any responses of the Receiver to objections, are hereby set for hearing in this matter on **February 2, 2018, at 9:00 a.m.**

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that, on or before **December 11, 2017**, the Receiver serve the Notice by first class mail, postage prepaid, to each of the claimants whose claims are listed on Exhibit 1 to the Receiver's Report, with an accompanying document setting forth the Receiver's recommendations with 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 29 DAY of Nov 2017.

~~PATRICIA G. PARRIS~~  
JUDGE OF THE DISTRICT COURT

CERTIFIED COPY  
AS FILED OF RECORD  
IN DISTRICT COURT

NOV 30 2017

RICK WARREN COURT CLERK  
Oklahoma County

*Rick Warren*

Prepared and Requested by:



John M. O'Connor, OBA No. 6741  
John M. Payne, OBA No. 17910  
William W. O'Connor, OBA No. 13200  
NEWTON, O'CONNOR, TURNER & KETCHUM, P.C.  
15 West Sixth Street, Suite 2700  
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[joconnor@newtonoconnor.com](mailto:joconnor@newtonoconnor.com)

-AND-

Barron A. Brown, OBA No. 31346  
Sara A. Worten, OBA No. 21532  
3613 NW 56<sup>th</sup> Street, Ste. 330  
Oklahoma City, OK 73112  
(405) 947-0022 – telephone  
(405) 947-0046 – facsimile  
[barron.brown@oid.ok.gov](mailto:barron.brown@oid.ok.gov)

**ATTORNEYS FOR PLAINTIFF, STATE  
OF OKLAHOMA, ex rel., JOHN DOAK,  
Insurance Commissioner for the State of  
Oklahoma, as Receiver for Park Avenue  
Property and Casualty Insurance Company,  
f/k/a Providence Property and Casualty  
Insurance Company, in Liquidation**

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing was served via United States mail, postage prepaid and properly addressed, on the 30 day of November, 2017 upon the following:

James Mills  
Oklahoma Insurance Department  
3625 NW 56<sup>th</sup> Street, Ste. 100  
Oklahoma City, OK 73112

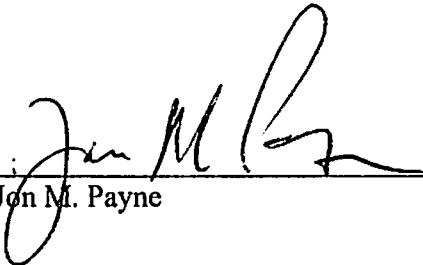
Park Avenue Insurance, LLC  
c/o Charles Antonucci, Sr.  
460 Park Avenue, 13<sup>th</sup> Floor  
New York, NY 10022

Mark Tharp  
Tharp & Associates  
4802 East Ray Road  
Suite 23-282  
Phoenix, AZ 85044-6417

Charles Antonucci, Sr.  
c/o Charles A. Stillman  
Stillman, Friedmann & Shecktman, PC  
425 Park Avenue  
New York, NY 10022

Oklahoma Receivership Office, Inc.  
Donna Wilson / Debra Crowe  
3613 NW 56<sup>th</sup>, Suite 330  
Oklahoma City, OK 73112

John Blatt  
National Conference of Insurance  
Guaranty Funds  
300 North Meridian Street  
Suite 1020  
Indianapolis, In 46204-1754

  
\_\_\_\_\_  
Jon M. Payne

**IN THE DISTRICT COURT OF 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 REPORT ON CLAIMS EVALUATION AND REQUEST FOR  
CONFIRMATION OF RECEIVER'S RECOMMENDATION**

You are hereby notified that on **February 2, 2018 at 9:00 a.m.** a hearing will be held in the above entitled matter, at which time the Receiver's Report on Claims Evaluation and Request for Confirmation of Receiver's Recommendation ("the Receiver's Report") shall be heard. **The hearing will be conducted at the Oklahoma County Courthouse, 321 Park Avenue, Oklahoma City, Oklahoma.**

You are receiving this Notice because the Receiver has evaluated your claim and such claim is ready for adjudication. The document accompanying this Notice sets forth the Receiver's recommendations to the Court in relation to your claim.<sup>1</sup> Your claim has been assigned the Proof of Claim number ("POC #") indicated on the accompanying document. The

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<sup>1</sup> The 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 Report, which was filed in the above-entitled matter on October 16, 2017. A copy of the Receiver's Report is available on the website for the Oklahoma Receivership Office at [www.okaro.org](http://www.okaro.org).

accompanying document 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.

**IF YOU DO NOT WISH TO OBJECT TO THE RECEIVER'S RECOMMENDATIONS AS TO YOUR CLAIM, YOU ARE NOT REQUIRED TO TAKE ANY ACTION AT THIS TIME.** IF YOU WISH TO OBJECT TO THE RECEIVER'S RECOMMENDATIONS AS TO YOUR CLAIM, YOU MUST FILE A PROPER, WRITTEN OBJECTION WITH THE COURT NO LATER THAN JANUARY 11, 2018. 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, Inc., f/k/a Providence Property and Casualty Insurance Company, Case No. CJ-2009-11178,);
- (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 legal 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 distribution. If your claim is allowed but was filed untimely (i.e. after February 8, 2011), it is given a lower priority in any distribution of the estate in accordance with Oklahoma law. 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 Oklahoma Receivership Office. Contact information for the Oklahoma Receivership Office is set forth below.

**Oklahoma Receivership Office**

3613 NW 56<sup>th</sup>, Suite 330  
Oklahoma City, OK 73112  
Phone: (405) 947-0022  
Fax: (405) 947-0046;

**Receiver's Legal 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).