

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

OCT 29 2018

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.)

RICK WARREN
COURT CLERK

36_____

Case No. CJ-2009-11178
The Honorable Trevor S. Pemberton

**ORDER ESTABLISHING DEADLINE RELATING TO RECEIVER'S
RECOMMENDATION FOR ADJUDICATION OF CLASS 2 CLAIMS
AND APPLICATION FOR APPROVAL OF FINAL CLASS 2 PAYMENTS
AND NOTICE OF HEARING**

On this 26 day of October, 2018, the Receiver's Recommendation for Adjudication of Class 2 Claims and Application for Approval of Final Class 2 Payments ("Receiver's Recommendation"), filed on October 22, 2018, 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:

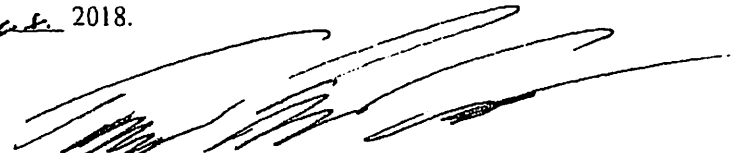
1. A deadline should be established for a claimant to file an objection to the Receiver's Recommendation;
2. An order reflecting the hearing on the Receiver's Recommendation should be entered; and
3. The attached form of the Notice of Objection Deadline and Hearing on the Receiver's Recommendation for Adjudication of Class 2 Claims and Application for Approval of Final Class 2 Payments (the "Notice") is proper in all respects.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that any claimant having an objection to the Receiver's Recommendation shall file such objection with this Court and serve a copy of the same on the Receiver's counsel, identified below, on or before November 9, 2018.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Receiver's Recommendation, and any objections to the Receiver's recommendations in the Receiver's Recommendation filed herein, are hereby set for hearing in this matter on November 16, 2018, at 1:30 p.m.

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 Exhibit 1 to the Receiver's Recommendation, 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 7th DAY of Nov. 2018.



JUDGE OF THE DISTRICT COURT

Prepared and Requested by:



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Jon M. Payne, OBA No. 17910

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**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 27 day of October, 2018 upon the following:

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

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

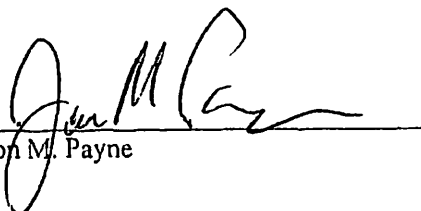
Mark Tharp
Tharp & Associates
4802 East Ray Road
Suite 23-282
Phoenix, AZ 85044-6417

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 56th, Suite 330
Oklahoma City, OK 73112

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

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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 Trevor S. Pemberton</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
RECOMMENDATION FOR ADJUDICATION OF CLASS 2 CLAIMS
AND APPLICATION FOR APPROVAL OF FINAL CLASS 2 PAYMENTS**

You are hereby notified that on **November 16, 2018 at 1:30 p.m.** a hearing will be held in the above entitled matter, at which time the Receiver's Recommendation for Adjudication of Class 2 Claims and Application for Approval of Final Class 2 Payments ("the Receiver's Recommendation") shall be heard. **The hearing will be conducted at the Oklahoma County Courthouse, 321 Park Avenue, Oklahoma City, Oklahoma in Courtroom #821.**

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.¹ Your claim has been assigned the Proof of Claim number ("POC #") indicated on the accompanying document. The accompanying document also provides information specific to your claim, including the amount

¹ 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 Recommendation, which was filed in the above-entitled matter on October 22, 2018. A copy of the Receiver's Recommendation is available on the website for the Oklahoma Receivership Office at www.okaro.org.

of your claim, and 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 RECOMMENDATION AS TO YOUR CLAIM, YOU ARE NOT REQUIRED TO TAKE ANY ACTION AT THIS TIME. **IF YOU WISH TO OBJECT TO THE RECEIVER'S RECOMMENDATION AS TO YOUR CLAIM, YOU MUST FILE A PROPER, WRITTEN OBJECTION WITH THE COURT NO LATER THAN NOVEMBER 9, 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, state in the objection 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 recommendation 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 56th, Suite 330
Oklahoma City, OK 73112
Phone: (405) 947-0022
Fax: (405) 947-0046;

Receiver's Legal Counsel Address:

John M. O'Connor
Jon M. Payne
HALL, ESTILL, HARDWICK, GABLE, GOLDEN
& NELSON, P.C.
320 South Boston Avenue, Suite 200
Tulsa, OK 74103
(918) 594-0400 (telephone)
(918) 594-0505 (facsimile).