

FILED IN DISTRICT COURT
IN THE DISTRICT COURT OF OKLAHOMA COUNTY OKLAHOMA COUNTY
STATE OF OKLAHOMA

SEP - 5 2019

STATE OF OKLAHOMA, ex rel.)
JOHN DOAK, Insurance Commissioner,)
)
Plaintiff,)
)
v.)
)
PEGASUS INSURANCE COMPANY, INC.)
)
Defendant.)

RICK WARREN
COURT CLERK
40 _____

Case No. CJ-2010-5131
The Honorable Don Andrews

ORDER APPROVING RECEIVER'S RECOMMENDATIONS AS TO
CLAIMS MADE SUBJECT TO RECEIVER'S SIXTEENTH REPORT

On this 5th day of September 2019, there came on for hearing the Receiver's Sixteenth Report on Claims Evaluation and Request for Confirmation of Receiver's Recommendations filed with the Court on July 19, 2019 ("Receiver's Sixteenth Report"). No one appeared at the hearing in opposition to the Receiver's Sixteenth Report.

The Court, for good cause shown, and being fully advised, finds and concludes as follows:

1. The Receiver's Sixteenth Report presents 10 claims for adjudication. The 10 claims include one claim of a state guaranty association that has reported no claim activity, seven Class 6 claims, and 2 Class 9 claims. Two of the Class 6 claims are untimely.

2. On July 25, 2019, the Court issued its Order Establishing Deadlines Relating to Receiver's Sixteenth Report on Claims Evaluation and Setting Hearing Date for Receiver's Sixteenth Report ("July 25, 2019 Order").

3. The July 25, 2019 Order set a deadline of August 19, 2019, for claimants to file an objection to the Receiver's recommendations, approved the form of the notice

("Notice") to be given to claimants, and set the Receiver's Sixteenth Report for hearing on September 5, 2019.

4. On July 25, 2019, the Receiver mailed the written, Court-approved Notice to each of the claimants whose claims are addressed in the Receiver's Sixteenth Report. The Notice stated the August 19, 2019 deadline for filing objections to recommendations in the Receiver's Sixteenth Report, as well as the date, time and place of the Court's hearing on the Receiver's Sixteenth Report. Additionally, the Notice contained the specific recommendations of the Receiver as to the claim of the claimant to whom the Notice was sent.

5. The August 19, 2019 deadline for filing an objection to the Receiver's Sixteenth Report has passed and no objections to the Receiver's Sixteenth Report were filed.

6. The Receiver's recommendations as to the 10 claims addressed in the Receiver's Sixteenth Report, as detailed in Exhibits 1 through 4 to the Receiver's Sixteenth Report, are supported by the law and the facts and the Receiver's recommendations should be approved by this Court.

7. The claim identified on Exhibit 1 to the Receiver's Sixteenth Report should be disallowed.

8. Each of the claims listed on Exhibit 2 to the Receiver's Sixteenth Report should be classified as a timely Class 6 claim for purposes of 36 O.S. § 1927.1 and allowed or allowed in part in the amount contained in the "Amount Allowed" column for that claim.

9. Each claims listed on Exhibit 3 to the Receiver's Sixteenth Report should be classified as a Class 6 claim for purposes of 36 O.S. § 1927.1 and disallowed. Of the claims listed on Exhibit 3, POC #s 77 and 125 were timely filed and POC #s 146 and 147 were untimely filed.

10. Each of the claims listed on Exhibit 4 to the Receiver's Sixteenth Report should be classified as a Class 9 claim for purposes of 36 O.S. § 1927.1.

11. The disallowance of any timely-filed proof of claim does not alter the statutory obligation, if any, of the Oklahoma Property & Casualty Insurance Guaranty Association or other applicable state guaranty fund, to provide indemnity and defense of a "covered claim" as defined by the Oklahoma Property & Casualty Insurance Guaranty Association Act, 36 O.S. § 2004(7), or other applicable statute.

12. There is no just reason to delay the entry of a final, appealable Judgment as to the matters hereby adjudicated. Good cause exists to enter this order as a final appealable Order, pursuant to 12 O.S. § 994(A).

13. This is a final and appealable order as to the matters addressed herein for purposes of 36 O.S. § 1902(H) and in accordance with 36 O.S. § 1918(D).

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Receiver's Sixteenth Report is hereby **APPROVED** and the recommendations contained therein, as set forth in the attached Exhibits 1 through 4 to the Receiver's Sixteenth Report and to this Order, are hereby **ACCEPTED** and **APPROVED** in their entirety.

IT IS THEREFORE FURTHER ORDERED, ADJUDGED, AND DECREED that the claim identified on Exhibit 1 attached to this Order is hereby **DISALLOWED** in its entirety in accordance with the Receiver's recommendations.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that each of the claims identified on Exhibit 2 attached to this Order be and hereby is **CLASSIFIED** as a timely Class 6 claim for purposes of 36 O.S. § 1927.1 and **ALLOWED** or **ALLOWED IN PART** in the amount contained in the “Amount Allowed” column for that claim.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that each of the claims identified on Exhibit 3 be and hereby is **CLASSIFIED** as a Class 6 claim for purposes of 36 O.S. § 1927.1 and **DISALLOWED**.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that POC #s 77 and 125 be and hereby are recognized as timely filed and that POC #s 146 and 147 are recognized as untimely filed for purposes of 36 O.S. § 1930.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that each of the claims listed on Exhibit 4 to the Receiver’s Sixteenth Report be and hereby is **CLASSIFIED** as a Class 9 claim for purposes of 36 O.S. § 1927.1

IT IS FINALLY ORDERED, ADJUDGED, AND DECREED that this Order be and hereby is certified, pursuant to 12 O.S. § 994(A), to be a final, appealable Order and, accordingly, the Court Clerk is hereby directed to file this instrument as a final, appealable Order.

SIGNED THIS 5th DAY OF September, 2019.

DON ANDREWS

The Honorable Don Andrews
Judge of the District Court

CERTIFIED COPY
AS FILED OF RECORD
IN DISTRICT COURT

SEP -5 2019

RICK WARREN COURT CLERK
Oklahoma County

Rick Warren

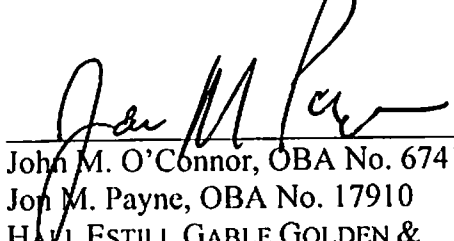
DOMA NUMBER 8

CERTIFIED COPY
OFFICE OF RECORDS
STATE OF CALIFORNIA

LICHA WILSON

LICHA WILSON

Prepared and Requested by:



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**ATTORNEYS FOR PLAINTIFF, STATE
OF OKLAHOMA, ex rel., JOHN DOAK,
Insurance Commissioner for the State of
Oklahoma, as Receiver for Pegasus
Insurance Company, Inc., 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 5th day of September, 2019 upon the following:

Oklahoma Receivership Office, Inc.
Donna Wilson / Debra Crowe
3613 NW 56th Street, Ste. 330
Oklahoma City, OK 73112

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

Terry K. Smith, Assistant Receiver
4026 S. Columbia
Tulsa, OK 74105

PIC Holding Company, Inc.
P. O. Box 729
Alexander City, AL 35011



Jon M. Payne

4198474.1:003979:00001

Exhibit 1

POC #	Amount Claimed	Amount Allowed	Timely Filed?
18	\$0.00	\$0.00	Yes

Exhibit 2- Class 6 Allowed				
POC #	Classification	Amount Claimed	Amount Allowed	Timely Filed?
6	6	\$5,000	\$2,825.25	Yes
57 (principal sought)	6	\$65,829.84	\$65,829.84	Yes
124	6	\$0.00	\$54,165.47	Yes
TOTALS	N/A	\$70,829.84	\$122,820.56	N/A

Exhibit 3 – Class 6 Disallowed

POC #	Classification	Amount Claimed	Amount Allowed	Timely Filed?
77	6	\$0.00	\$0.00	Yes
125	6	\$641.67	\$0.00	Yes
146	6	\$4,094.63	\$0.00	No
147	6	\$4,269.18	\$0.00	No
TOTALS	N/A	\$9,005.48	\$0.00	N/A

Exhibit 4	
POC #	Classification
S7 (Interest sought)	9
123	9

4109857.1:004009:00001