

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

NOV 18 2021

RICK WARREN
COURT CLERK

109 _____

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

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

**ORDER ESTABLISHING DEADLINE RELATING
TO RECEIVER’S RECOMMENDATION
AND SETTING HEARING DATE**

On this day, the Receiver’s Recommendation as to the Claim of the Tennessee Insurance Guaranty Association and Class 9 claims (“Receiver’s Recommendation”), filed on November 17, 2021, 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 the Tennessee Insurance Guaranty Association to file an objection to the Receiver’s recommendations set forth in the Receiver’s Recommendation;
2. The Receiver’s Recommendation, including the recommendations contained therein as to the claim of the Tennessee Insurance Guaranty Association and Class 9 claims, should be set for hearing; and
3. The attached Notice of Objection Deadline and Hearing on the Receiver’s Recommendation as to Claim of Tennessee Insurance Guaranty Association (the “Notice”) is proper in all respects.

4. Service of the of the Receiver's Recommendation upon the Class 9 claimants by mail at their last known address on or before 3 days after the filing of this Order shall be sufficient notice of the Receiver's Recommendation to the class 9 claimants.

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 **December 8, 2021**.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Receiver's Recommendation, and any objection to the Receiver's Recommendation is hereby set for hearing on **December 13, 2021, at 1:30 p.m.**, before the Honorable Don Andrews, Judge of the District Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, within three days of the filing of this Order, the Receiver serve the Notice by first class mail, postage prepaid, upon the Tennessee Insurance Guaranty Association ("TIGA") at TIGA's address stated on TIGA's proof of claim, or other appropriate address including the most recent address for TIGA on the records of the Receiver.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that service of the of the Receiver's Recommendation upon the Class 9 claimants by mail at their last known address on or before 3 days after the filing of this Order shall be sufficient notice of the Receiver's Recommendation to the class 9 claimants.

SIGNED THIS 18 DAY of November 2021.

CERTIFIED COPY
AS FILED OF RECORD
DON ANDREWS DISTRICT COURT
JUDGE OF THE DISTRICT COURT
NOV 18 2021

RICK WARREN COURT CLERK
Oklahoma County
Rick Warren

Prepared and Requested by:



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**ATTORNEYS FOR PLAINTIFF, STATE
OF OKLAHOMA, ex rel., GLEN MULREADY,
Insurance Commissioner for the State of
Oklahoma, as Receiver for Pegasus
Insurance Company, Inc., in Liquidation**

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA, et rel.)	
JOHN DOAK, Insurance Commissioner,)	
)	
Plaintiff,)	
)	
v.)	Case No. CJ-2010-5131
)	Judge Don Andrews
PEGASUS INSURANCE COMPANY, INC.)	
)	
)	
Defendant.)	

**NOTICE OF OBJECTION DEADLINE AND HEARING ON THE
RECEIVER’S RECOMMENDATION
AS TO CLAIM OF TENNESSEE INSURANCE GUARANTY ASSOCIATION**

To: **Tennessee Insurance Guaranty Association**
3100 West End Ave., Suite 670
Nashville, TN 37203

You are hereby notified that on **December 13, 2021 at 1:30 p.m.**, a hearing will be held before the Honorable Don Andrews, District Court Judge of Oklahoma County, Oklahoma, at which time the Receiver’s Recommendation as to the Claim of the Tennessee Insurance Guaranty Association (“TIGA”) against the receivership estate of Pegasus Insurance Company shall be heard. **The hearing will be conducted at the Oklahoma County Courthouse, 321 Park Avenue, Room # 359, Oklahoma City, Oklahoma.**

The Receiver’s recommendations to the Court in relation to TIGA’s claim are set forth in the Receiver’s Recommendation as to Remaining Claim, Application to Distribute Assets, Close Estate, and Request for Discharge filed in this matter on November 17, 2021 (“Receiver’s Recommendation”). The Receiver’s Recommendation recommends that the TIGA claim, which seeks amounts to be determined, be allowed as a **Class 2 claim** in the amount of **\$518,200.13** and as a **Class 3 claim** in the amount of **\$1,526,285.63**.

To the extent the recommendation(s) regarding your claim differ(s) from any prior notices, the recommendation(s) in this Notice supersede and govern over any prior inconsistent notices.

IF YOU DO NOT WISH TO OBJECT TO THE RECEIVER'S RECOMMENDATION, YOU ARE NOT REQUIRED TO TAKE ANY ACTION AT THIS TIME. IF YOU WISH TO OBJECT TO THE RECEIVER'S RECOMMENDATION, YOU MUST FILE A PROPER, WRITTEN OBJECTION WITH THE COURT NO LATER THAN **DECEMBER 8, 2021**. 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. Pegasus Insurance Company, Inc., Case No. CJ-2010-5131, Judge Don Andrews);
- (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 and emailed 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 matters 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:

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