

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

JUL 29 2020

RICK WARREN
COURT CLERK

45 _____

STATE OF OKLAHOMA, ex rel.
GLEN MULREADY, in his capacity as Insurance
Commissioner and as Receiver
for Driver's Insurance Co.,

Plaintiff,

v.

DRIVER'S INSURANCE COMPANY, a licensed domestic
insurer in the State of Oklahoma, in Receivership,

Defendant.

Case No. CJ-2013-694

Judge Susan Stallings

**ORDERING DETERMINING CLAIMS AND
APPROVING RECEIVER'S ELEVENTH REPORT ON CLAIMS**

On the 23rd day of July, 2020, there came on for hearing the Receiver's Eleventh Report on Claims Evaluation and Request for Confirmation of Receiver's Recommendations filed with the Court on May 7, 2020 ("Receiver's Eleventh Report"). No objections were filed against the Receiver's Report with this Court, and the Court, for good cause shown, and being fully advised, finds and concludes as follows:

1. The Receiver made good faith and sufficient efforts to determine the identify of all persons who may have claims against Driver's Insurance Company ("Driver's") and mailed approximately 15,177 notices of liquidation to potential claimants. Additionally, notice of the proof of claim process and the availability of the proof of claim packets was published on June 14, 2013 on the Oklahoma Receivership Office website, and then updated after the October 18, 2013 Order.

2. A total of 1,207 timely proofs of claim were submitted to the Receiver.
3. The Receiver's Eleventh Report presents the Receiver's recommendation as to Eight (8) Class 3 and Class 6 claims.
4. On May 15, 2020, the Receiver mailed written notice to each of the claimants whose claims are addressed in the Receiver's Report. Such notice stated the deadline for filing objections to recommendations in the Receiver's Report, as well as the date, time and place of the Court's hearing on the Receiver's 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 Notice which the Receiver sent to each claimant was the Notice approved by the Court on May 11, 2020, and filed of record on the May 15, 2020, and the Receiver's notice adequately protected any and all due process interests of the claimants.
6. The Receiver received no objections to the recommendations contained in the Receiver's Eleventh Report.
7. The Receiver's recommendations as to the Seven (7) Class 3 claims addressed in the Receiver's Report, as detailed in Exhibit 1 of the Receiver's Report, are supported by the law and the facts and the Receiver's recommendations should be approved by this Court.
8. The Receiver's recommendations as to the One (1) Class 6 claim addressed in the Receiver's Report, as detailed in Exhibit 2 of the Receiver's Report, are supported by the law and the facts and the Receiver's recommendations should be approved by this Court.
9. The denial of any timely-filed proof of claim included in the Receiver's Report does not alter the statutory obligation, if any, of the applicable state guaranty funds to provide indemnity and defense of a covered claim as defined by the Oklahoma Property & Casualty

Insurance Guaranty Association Act, OKLA. STAT. tit. 36, § 2004(7), or other applicable state statutes.

10. 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).

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

12. Pursuant to the Receiver's Request, the Receiver shall identify the claims on the Exhibits attached to the Report by reference to the claim number and shall redact from the Exhibits the names of the claimants.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Receiver's Eleventh Report is hereby **APPROVED** and the recommendations contained therein, as set forth in Exhibits 1 and 2 of the Receiver's Report, are hereby **ACCEPTED** and **APPROVED** in their entirety.

IT IS FURTHER THEREFORE ORDERED, ADJUDGED AND DECREED that each of the claims addressed in the Receiver's Report identified in Exhibits 1 and 2 are properly classified as a Class 3 and Class 6 claim under 36 O.S. § 1927.1 and are allowed, allowed in part, or disallowed, in accordance with the Receiver's recommendations, as reflected in the "Amount Allowed" column on Exhibit 1 and Exhibit 2 of the Receiver's Report.

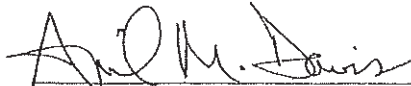
IT IS FINALLY ORDERED, ADJUDGED AND DECREED that this Order is hereby certified, pursuant to 12 O.S. § 994(A), to be a final, appealable Order and, accordingly, the Court Clerk is hereby directed to file this instruments as a final, appealable Order.

SIGNED this 22 day of July, 2020.

SUSAN C. STALLINGS

The Honorable Susan Stallings
Judge of the District Court

APPROVED AS TO FORM:



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ATTORNEYS FOR PLAINTIFF,
STATE OF OKLAHOMA, ex rel.
GLEN MULREADY, INSURANCE
COMMISSIONER for the State of Oklahoma,
as Receiver for Driver's Insurance Company

CERTIFIED COPY
AS FILED OF RECORD
IN DISTRICT COURT

JUL 29 2020

RICK WARREN COURT CLERK
Oklahoma County



CERTIFICATE OF SERVICE

I hereby certify that on the 29 day of July, 2020, a true and correct copy of the above and foregoing document was sent via Electronic Mail with written consent and/or U.S. Mail, postage prepaid, to:

Terry Smith
Assistant Receiver
4026 S. Columbia Place
Tulsa, Oklahoma 73112
via email with consent

Joe Holloway
National Guaranty Insurance Company
c/o Regulatory Services Group
100 Pine Street, 26th Floor
San Francisco, CA 94111

Oklahoma Receivership Office
3613 NW 56th, Suite 330
Oklahoma City, OK 73112
via email with consent

Oklahoma Insurance Department
400 NE 50th Street
Oklahoma City, OK 73105
via email with consent



April Davis