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Dav. Co. Chancery Court

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY

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| STATE OF TENNESSEE ex rel. JULIE MIX McPEAK, COMMISSIONER OF COMMERCE AND INSURANCE FOR THE STATE OF TENNESSEE, | Nos. 03-293 (IV)<br>03-294 (IV)<br>03-295 (IV) |
| Petitioner, | |
| v. | |
| AMERICAN NATIONAL LAWYERS INSURANCE RECIPROCAL (RRG), a Tennessee Domiciled Insurance Company, DOCTORS INSURANCE RECIPROCAL (RRG), a Tennessee Domiciled Insurance Company and THE RECIPROCAL ALLIANCE (RRG), a Tennessee Domiciled Insurance Company, | |
| Respondent. | |

FILED
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**ORDER ESTABLISHING**
**A) AN ABSOLUTE BAR DATE AS TO CLAIMS AGAINST RRG RECEIVERSHIP ESTATES**
**AND**
**B) A DEADLINE TO LIQUIDATE ALL CLAIMS**
**ENTERED AS A FINAL ORDER AS TO THE MATTERS ADDRESSED HEREIN**

On March 1, 2011, the Receiver of American National Lawyers Insurance Reciprocal (RRG) ("ANLIR"), Doctors Insurance Reciprocal (RRG) ("DIR") and the Reciprocal Alliance (RRG) ("TRA") (collectively "RRGs") filed a motion requesting that in their respective receivership actions, the Court a) establish an absolute bar date as to submission of claims against their respective receivership estates; and b) establish a deadline by which all holders of pending unliquidated claims against their respective receivership estates would be required to

liquidate those claims ("Motion"). Various responses in opposition to the Motion were filed with the Court. All but two of those responses in opposition were resolved prior to the hearing on the Motion. The two remaining oppositions to the Motion were by an ANLIR Claimant, Louis B. Mendonca and by a TRA Claimant, Christie Clinic, LLC. On April 12, 2011 the Motion came before the Court for hearing. Present were counsel for the respective RRGs, as well as appearing by telephone, Louis B. Mendonca (pro se) and William R. Graham, Esq., on behalf of Christie Clinic, LLC.

Based upon the Motion, all filings made in relation thereto, argument presented at the April 12, 2011 hearing and the record as a whole, the Court finds as follows:

1) The absolute claim bar date for claims against the RRG receivership estates of **May 31, 2011 at 4:30 p.m. (Central Time)** is established. Any claim received by any RRG receivership estate after that date and time will be rejected and not further considered, and the particular RRG receivership estate will so notify the sender of the particular barred claim(s).

2) Any claim submitted after the date of entry of this Order, but before the absolute claim bar date established herein, must (in addition to the information required by T.C.A. § 56-9-324) present specific reason(s) why the claimant has waited so long to file the claim, present all reasons and evidence that support the validity of the claim, state a specific liquidated amount claimed and present all evidence supporting why the claim should not be considered as late-filed and all evidence establishing the amount claimed.

3) A deadline of **August 15, 2011 at 4:30 p.m. (Central Time)** is established for liquidation of all unliquidated claims pending before the RRG receivership estates. At or before that date and time, the holders of unliquidated claims must

have liquidated their claims to a specific dollar amount and must have presented to the particular RRG receivership estate all information and evidence -- e.g., settlement or judgment -- that support that specific claim amount.

4) If August 15, 2011 (4:30 p.m. Central Time) passes and the holder of an unliquidated claim has not complied with the requirements of the above-stated Section 3), the Receiver, through her appointed Special Deputy Receiver, may deny the unliquidated claim.

5) As to the response in opposition filed by TRA Claimant, Christie Clinic, LLC, the Notices of Determination issued by the TRA Special Deputy Receiver with respect to TRA Proofs of Claim #1902 (Lee Claim) (incorrectly noted by Christie as Claim #1695); #1879 (Jones Claim); #1894 (Klein Claim); and #1895 (Davenport Claim) (incorrectly identified by Christie as #1686) are final pursuant to T.C.A. §56-9-327(a) due to the failure of Christie to file timely objections to those Notices of Determination.

6) As to the response in opposition filed, pro se, by ANLIR Claimant, Louis R. Mendonca in the ANLIR proceedings, ANLIR Proof of Claim #2058 shall not be subject to the aforementioned deadline of August 15, 2011 at 4:30 p.m. (Central Time) for liquidation of all unliquidated claims. The Court will hold a further hearing on the ANLIR Receiver's Motion, the Mendonca response in opposition and any further filings in relation thereto at 1:30 p.m. (Central Time) on July 26, 2011.

The Court further finds that the Receiver needs the ability to rely, in taking action impacting upon the progression of the RRG receivership estates, upon the absolute claim bar date and liquidation of claim deadline established herein. To provide certainty to the actions

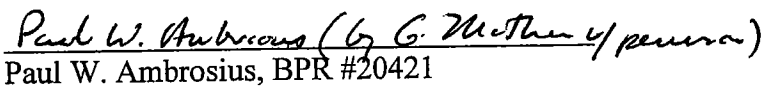
taken by the Receiver in reliance of the passing of the deadlines established herein, and there being no just reason for delay, the Court expressly instructs the Clerk and Master to enter this Order as a final order regarding all matters addressed herein. Rule 54.02 Tenn.R.Civ.P.

Moreover, to assure reasonable notice of the entry of this Order, the Receiver is instructed to provide, within five (5) business days of the entry of this Order, a copy of this Order, through U.S. Mail, First Class, to all current holders of unliquidated claims in the ANLIR, DIR and TRA receivership estates as indicated by the records maintained in those receivership proceedings. The Court also instructs the Receiver to have published in the Tennessean a summary of this Order which would include contact information listed for any additional questions to be posed by any reader of the published summary. This publication should occur twice within the first ten (10) business days after entry of this Order.

It is so ORDERED this the ____ day of April, 2011.

Honorable Russell T. Perkins
Chancellor

Submitted and Approved for Entry



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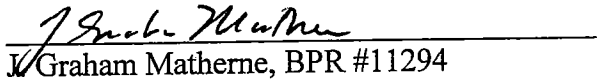

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## CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing has been delivered Via Facsimile as indicated and by U.S. Mail, First Class postage prepaid to the following on this 15th day of April, 2011:

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