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

STATE OF TENNESSEE
ex rel. JULIE MIX McPEAK,
COMMISSIONER OF COMMERCE
AND INSURANCE FOR THE STATE OF
TENNESSEE,

Petitioner,

v.

AMERICAN NATIONAL LAWYERS
INSURANCE RECIPROCAL (RRG), a
Tennessee Domiciled Insurance Company,

Respondent.

No. 03-293-(IV)

FILED
2016 MAR 18 PM 1:49
CLERK & MASTER
DAVIDSON COUNTY CHANCERY COURT
J.C. & M.

AMERICAN NATIONAL LAWYERS INSURANCE RECIPROCAL RECEIVER'S MOTION FOR THE COURT TO ACCEPT AND APPROVE FINAL DETERMINATIONS AS TO CLASS 6 CLAIMS

I. INTRODUCTION

Julie Mix McPeak, as Commissioner of the Tennessee Department of Commerce and Insurance, in her capacity as Liquidator of American National Lawyers Insurance Reciprocal (RRG) in Liquidation ("ANLIR"), and through her appointed Special Deputy Receiver, moves the Court, under T.C.A. § 56-9-331, to accept and approve, as final, the Class 6 claim determinations set forth in **Exhibit A**. This Motion does not request approval of a distribution, pro rata or otherwise, as to the approved Class 6 claim amounts set forth in **Exhibit A**, but rather only seeks approval of the listed Class 6 claims, and the respective approved claim amounts presented, so that they will be established and ready for distribution, if any, upon later motion to, and order of, the Court.

II. DISCUSSION

The Class 6 claims (*i.e.*, claims by state or local governments) set forth in **Exhibit A** are claims that have been reviewed and adjudicated with final recommended claim amounts set forth. The ANLIR Receiver urges the Court to accept this report of final claim amounts and to approve the determined claim amounts for the Class 6 claims set forth in **Exhibit A**. Such acceptance and approval will advance these proceedings toward closure in that it will dispose of the only two ANLIR Class 6 claims.

The Class 6 claim determinations set forth in **Exhibit A** represent determinations that have either not been objected to (and thus are final) or have been objected to with the objection addressed to final disposition. Accordingly, they are ripe to be presented as the final claim amounts for the listed Class 6 claims. Pursuant to T.C.A. § 56-9-331, the ANLIR Receiver recommends that the Court accept this report as to the Class 6 claim determinations set forth in **Exhibit A** and approve the final claim amounts listed for these claims.

III. NOTICE

A copy of this Motion—including the "Setting of Hearing" section—and all Exhibits, will be mailed, first class mail, to the two Class 6 claimants (or their counsel listed in **Exhibit A**).

Notice will be provided to the Virginia Deputy Receiver through mailing a copy of this Motion and Exhibits to counsel. Notice will be provided to the Elliott Lawson and Minor group (the sole remaining group of Class 2 ANLIR claimants with an unresolved claim) through mailing a copy of this Motion and Exhibits to their counsel. Because the other ANLIR Class 2 claims and the Class 3 and 4 claims (if any) have already been finalized and paid, no notice will be provided to them of this Motion. Also, because no payment of approved ANLIR Class 6 claims is

requested through this Motion, separate Notice to the ANLIR Class 5 claimants (other than the Virginia Deputy Receiver) is not being provided. But, as to notice to those Class 5 claimants, as well as notice in general, a copy of the Motion and Exhibits attached hereto will be posted on the Tennessee Department of Commerce and Insurance website as soon as practicable after the filing of this Motion.

IV. REQUEST THAT ORDER GRANTING REQUESTED RELIEF BE MADE FINAL PURSUANT TO RULE 54.02 TENN. R. CIV. P.

This Motion seeks relief that needs to be relied upon in advancing the progression of the ANLIR Liquidation Proceedings toward further distributions and ultimate closure. But the relief afforded through granting this Motion does not address all matters at issue in the ANLIR Liquidation Proceedings. In order to provide certainty with regard to the relief granted, the ANLIR Receiver requests that the Court expressly find that there exists no just reason for delay and that the Order granting this Motion be entered as final regarding the matters addressed in that Order. Rule 54.02 Tenn. R. Civ. P.

V. CONCLUSION

For the reasons set forth herein, the ANLIR Receiver requests this Court, pursuant to T.C.A. §56-9-331, (1) accept **Exhibit A** attached hereto as a report and listing of certain Class 6 claims, (2) approve the claim amounts set forth in **Exhibit A** for each such Class 6 claim, and (3) incorporate the listing set forth in **Exhibit A** in a final order granting the relief requested herein.

Respectfully submitted,

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Counsel for the ANLIR Receiver and ANLIR Special Deputy Receiver

SETTING OF HEARING/DEADLINE FOR RESPONSE IN OPPOSITION

THIS MOTION IS SET TO BE HEARD ON FRIDAY, APRIL 1, 2016 AT 9:00 A.M. (CENTRAL TIME) IN THE COURTROOM FOR THE CHANCERY COURT OF DAVIDSON COUNTY, TENNESSEE (PART IV) LOCATED AT THE METRO COURTHOUSE IN NASHVILLE, TENNESSEE. ANY RESPONSE IN OPPOSITION IS TO BE FILED WITH THE COURT AND SERVED ON ABOVE-NOTED COUNSEL ON OR BEFORE DECEMBER 14, 2015. IF NO RESPONSE IS TIMELY FILED AND SERVED, THE MOTION CAN BE GRANTED WITHOUT FURTHER NOTICE.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been delivered by U.S. Mail, First Class postage prepaid, to the following on this 18th day of March, 2016:

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(Class 6 Claimant)

Tennessee Department of Revenue
Attn: Wilbur E. Hooks, Asst. Director
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