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Dav. Co. Chancery Court

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,	)	**Number: 03-294-(IV)**
v.	)	
DOCTORS INSURANCE RECIPROCAL (RRG), a Tennessee Domiciled Insurance Company,	)	
Respondent.	)	

FILED
2015 DEC 21 PM 2:35
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.
DC&M

~~PROPOSED~~ ORDER ACCEPTING AND APPROVING ENUMERATED CLAIMS AS DETERMINED IN THE DOCTORS INSURANCE RECIPROCAL, RRG LIQUIDATION ESTATE AND APPROVING PAYMENT FOR CERTAIN CLASS 2 CLAIMS

Before this Court is a Motion filed on November 30, 2015 by the Commissioner of the Tennessee Department of Commerce and Insurance, in her capacity as Liquidator of Doctors Insurance Reciprocal (RRG) in Liquidation ("DIR"), through her appointed Special Deputy Receiver. The Motion requests the Court accept and approve the determination of numerous claims submitted in the DIR Liquidation proceedings. Attached as **Exhibit A** to this Order is a listing of three (3) claims which the Special Deputy Receiver requests be accepted and approved as Class 2 claims. As to those three (3) claims, the Special Deputy Receiver also requests that 100% payment of the approved claim amounts be made upon this Order becoming final. Attached as **Exhibits B and C** to this Order are the listing of finalized Class 6 claims (Exh. B) and the listing of finalized Class 7 claims (Exh. C). From DIR's pending Motion, the Court understands that while acceptance and approval of the Class 6 and Class 7 claims set forth in **Exhibit B** and **Exhibit C** are sought, the Commissioner / DIR Special Deputy Receiver do not

seek approval of any payment of those approved claim amounts, pro rata or otherwise. Any payment, pro rata or otherwise, of those listed Class 6 and Class 7 claim amounts will occur only upon further motion to, and order of, the Court.

There have been no objections or oppositions filed in relation to the pending Motion. Upon review of the Motion and upon the record in this proceeding as a whole, the Court finds the Motion well taken.

Accordingly, the Court approves the Class 2 claim amounts listed in **Exhibit A** to this Order in the column entitled "RRAO Determined Value" which aggregates to the amount of $48,756.58. The Court also acknowledges and accepts the listings set forth in **Exhibit A** to this Order as the DIR Liquidator's report of those Class 2 claims which are final. T.C.A. §56-9-331. The Court also approves payment of these Class 2 claim amounts upon this Order becoming final.

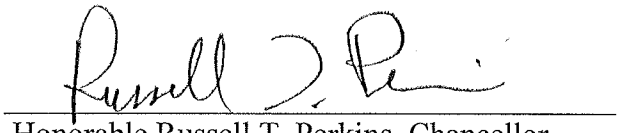
The Court also approves the Class 6 and Class 7 claim amounts listed in **Exhibit B** and **Exhibit C**, respectively, said amounts appearing in the column entitled "RRAO Determined Value" to **Exhibit B** and **Exhibit C** to this Order. The Court also acknowledges and accepts the listings set forth in **Exhibit B** and **Exhibit C** to this Order as the DIR Liquidator's report as to those Class 6 and Class 7 claims which are final. T.C.A. §56-9-331. Distribution or payment, pro rata or otherwise, as to these Class 6 and Class 7 approved claim amounts will await further order of the Court.

In their November 30, 2015 Motion, the Commissioner and DIR Special Deputy Receiver request, pursuant to Rule 54.02 Tenn. R. Civ. P., that the Order entered in relation to the pending Motion be entered as a final order in relation to all matters addressed herein. The Court finds that this Order does not address all matters involved in the DIR liquidation proceeding. The Court further finds that the DIR Special Deputy Receiver will rely upon the rulings contained in

this Order in taking actions such as ultimate payment, pro rata or otherwise, of the claims approved herein. In doing so, the DIR Liquidation Estate needs certainty as to the Court's rulings. For that reason, and there being no just reason for delay, the Court expressly instructs the Clerk and Master to enter this Order as a final Order as to all matters contained herein. Rule 54.02 Tenn. R. Civ. P.

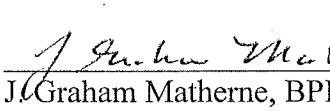
Finally, given the broad notice provided in relation to the Motion (see November 30, 2015 Motion at pp. 4-5) and given the lack of objections to the Motion and no appearance in opposition at the noticed December 18, 2015 hearing of the Motion, the Court deems it sufficient notice to those affected for the Order, once entered, to be posted on the Tennessee Department of Commerce and Insurance website at http://www.tn.gov/insurance/companyactions.shtml. The DIR Special Deputy Receiver is instructed to post this Order in that fashion as soon as is practicable after entry.

It is so ORDERED this the _____ day of December, 2015.



Honorable Russell T. Perkins, Chancellor

Approved and Submitted for Entry



J. Graham Matherne, BPR #11294
WYATT, TARRANT & COMBS, LLP
2525 West End Avenue, Suite 1500
Nashville, TN 37203-1423
(615) 244-0020
Counsel for DIR Special Deputy Receiver

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 22nd DAY OF December 20 15
MARIA M. SALAS, CLERK & MASTER
BY _____ DEPUTY

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **[Proposed] Order Accepting And Approving Enumerated Class 5 Claims As Determined In The Doctors Insurance Reciprocal, RRG Liquidation Estate And Approving Payment For Certain Class 2 Claims** has been delivered by United States Mail, First Class postage prepaid, to the following on this 15th day of December, 2015:

Sarah A. Hiestand, Senior Counsel
Office of the Attorney General
State of Tennessee
Post Office Box 20207
Nashville, TN 37202-0207

Patrick H. Cantilo
Cantilo & Bennett, L.L.P.
11401 Century Oaks Terrace
Suite 300
Austin, TX 78758
(counsel to the Virginia Deputy Receiver)

Clifford C. Whitney, III
Varner, Parker & Sessums, P.A.
1110 Jackson Street
Vicksburg, MS 39180
(counsel to Dr. Wheelis)

Fred Greenburg
608 Baltimore Place
Media, PA 19063
(counsel to Dr. Yates)

Mark Miller
Scotts & Fain PC
P.O. Box 1555
Richmond, VA 23218-1555
(counsel to Dr. Miller)

Counsel to the DIR Special Deputy Receiver

61435710.1

POC NUMBER	CLAIMANT NAME	CLAIMANT ADDRESS	RRAO DETERMINED VALUE
0002692	ALAN YATES	638 NEWTOWN-YARDLEY ROAD, STE. 2A NEWTOWN, PA 18940	$3,492.23
0002693	ALAN YATES	638 NEWTOWN-YARDLEY ROAD, STE. 2A NEWTOWN, PA 18940	$25,000.00
0002863	GEORGE MILLER, JR.,	1530 NORTH KEY BOULEVARD ARLINGTON, VA 22209	$20,264.35

$48,756.58

FILED
ON DEC 2 1 2015
BY _____ D C & M
MARIA M. SALAS, C & M
DAVIDSON CO. CHANCERY CT.

EXHIBIT
A

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POC NUMBER	CLAIMANT NAME	CLAIMANT ADDRESS	RRAO DETERMINED VALUE
0000008	MINNESOTA REVENUE DEPT.	ATTN: JERRY SIEVE, TAX SPECIALIST SENIOR MAIL STATION 1780 600 NORTH ROBERT STREET ST. PAUL, MN 55145-1780	$0.00
0001084	TENNESSEE DEPT OF COMMERCE AND INSURANCE	ATTN: JAMES AYERS, LEAD TAX ANALYST 500 JAMES ROBERTSON PKWY NASHVILLE, TN 37243	$0.00
0001300	STATE OF IDAHO DEPT OF INS	ATTN: PATRICIA DILLARD, PREMIUM TAX 700 WEST STATE STREET, 3RD FLOOR BOISE, ID 83720	$150.00
0001336	DEPARTMENT OF CONSUMER AND BUSINESS SERVICES - INSURANCE DIVISION	ATTN: MARCIA JONES, ADMINISTRATIVE SPECIALIST 350 WINTER ST. NE, ROOM 440 SALEM, OR 97301-3883	$806.90
0001531	MAINE REVENUE SERVICE, COMPLIANCE DIVISION	ATTN: LAURIE MAHANY P.O. BOX 9101 AUGUSTA, ME 04332	$215.18
0002145	WV INSURANCE COMMISSION	ATTN: JANE L. CLINE, INSURANCE COMMISSIONER 1124 SMITH STREET CHARLESTON, WV 25311	$333.62
			$1,505.70

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EXHIBIT
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Dav. Co. Chancery Court

POC NUMBER	CLAIMANT NAME	CLAIMANT ADDRESS	RRAO DETERMINED VALUE
0000167	PROVIDENCE PARK OB-GYN, PC	C/O OSCAR ALMEIDA, JR, MD 176 MOBILE INFIRMARY BLVD. MOBILE, AL 36607	$0.00
0000168	OSCAR ALMEIDA	C/O OSCAR ALMEIDA, JR, MD 176 MOBILE INFIRMARY BLVD. MOBILE, AL 36607	$0.00
0000169	PROVIDENCE PARK OB-GYN, PC	C/O OSCAR ALMEIDA, JR, MD 176 MOBILE INFIRMARY BLVD. MOBILE, AL 36607	$0.00
0000170	OSCAR ALMEIDA	C/O OSCAR ALMEIDA, JR, MD 176 MOBILE INFIRMARY BLVD. MOBILE, AL 36607	$0.00
0000307	RUSH FOUNDATION HOSPITAL	ATTN: KEN PURVIS 1314 19TH AVENUE MERIDIAN, MS 39301	$0.00
0000308	RUSH FOUNDATION HOSPITAL	ATTN: KEN PURVIS 1314 19TH AVENUE MERIDIAN, MS 39301	$0.00
0000311	RUSH FOUNDATION HOSPITAL	ATTN: KEN PURVIS 1314 19TH AVENUE MERIDIAN, MS 39301	$0.00
0000312	RUSH FOUNDATION HOSPITAL	ATTN: KEN PURVIS 1314 19TH AVENUE MERIDIAN, MS 39301	$0.00
0000313	RUSH FOUNDATION HOSPITAL	ATTN: KEN PURVIS 1314 19TH AVENUE MERIDIAN, MS 39301	$0.00
0000314	RUSH FOUNDATION HOSPITAL	ATTN: KEN PURVIS 1314 19TH AVENUE MERIDIAN, MS 39301	$0.00
0000315	RUSH FOUNDATION HOSPITAL	ATTN: KEN PURVIS 1314 19TH AVENUE MERIDIAN, MS 39301	$0.00
0000337	RUSH FOUNDATION HOSPITAL	ATTN: KEN PURVIS 1314 19TH AVENUE MERIDIAN, MS 39301	$0.00
0001223	LEE COUNTY -- MISSISSIPPI	ATTN: RONALD E. BELL, COUNTY ADMINISTRATOR P.O. BOX 1785 TUPELO, MS 38802	$0.00
0001428	BRYAN NELSON	6524 U.S. HWY 98 HATTIESBURG, MS 39402	$0.00
0001525	BRYAN NELSON	6524 U.S. HWY 98 HATTIESBURG, MS 39402	$0.00
0001726	ROBERT J. GRIMM, ESQ	SWARTZ CAMPBELL 4750 US STEEL TOWER 600 GRANT STREET PITTSBURGH, PA 15219	$0.00
0001727	ROBERT J. GRIMM, ESQ	SWARTZ CAMPBELL 4750 US STEEL TOWER 600 GRANT STREET PITTSBURGH, PA 15219	$0.00

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0002512	JOE WALKER	14430 MAIN STREET COFFEEVILLE, MS 38922	$0.00
0002583	TERRY SIMS	3226 SCR 52 RALEIGH, MS 39153	$0.00
0002586	DANIEL MCGARRIGAN	662 BELMONT AVENUE SOUTHAMPTON, PA 18966	$6,723.00
0002587(A)	GREGORY PEDRO	560 VAN REED RD., STE. 201 READING, PA 19610	$0.00
0002587(B)	GREGORY PEDRO	560 VAN REED RD., STE. 201 READING, PA 19610	$0.00
0002590	WARRINGTON CLINIC, P.A.	P.O. BOX 289 MARKS, MS 38646	$4,468.10
0002591	EASTSIDE VENTURES, INC	48 MEDICAL PARK DR, STE. 450 BIRMINGHAM, AL 35235	$8,367.20
0002593	BRENDA BRADSHAW	2300 CHARLES STREET FREDERICKSBURG, VA 22401	$4,167.21
0002676	PEDIATRIC ASSOCIATES OF MOBILE	3719 DAUPHIN ST., STE. 102 MOBILE, AL 36608	$0.00
0002687	PARSONS, LEE & JULIANO, P.C.	POST OFFICE BOX 530630 BIRMINGHAM, AL 35253-0630	$62.00
0002688	PARSONS, LEE & JULIANO, P.C.	ATTN: JASPER JULIANO POST OFFICE BOX 530630 BIRMINGHAM, AL 35253-0630	$0.00
0002689	MICHAEL KING; THE SURGICAL CLINIC OF NORTH MISSISSIPPI	2215 JEFFERSON DAVIS DR. OXFORD, MS 38655	$11,143.61
0002694	SANDS ANDERSON MARKS & MILLER	P.O. BOX 1998 RICHMOND, VA 23832	$1,135.01
0002695	GREGORY BROWN	C/O DAVID M. CANTOR 462 SOUTH FOURTH ST., STE. 2200 LOUISVILLE, KY 40202	$0.00
0002696	SANDS ANDERSON MARKS & MILLER	P.O. BOX 1998 RICHMOND, VA 23218-1998	$0.00
0002746	SARA KILROY	88 Broad St. Fl 8 Boston, MA 02110	$0.00
0002749	ELLEN KILROY	147 WHISCONIER ROAD BROOKFIELD, CT 06804	$0.00
0002750	KEVIN KILROY	147 WHISCONIER RD BROOKFIELD, CT 06804	$0.00
0002751	MICHAEL ORLANDO	FAQUIER HOSPITAL -PATHOLOGY 500 HOSPITAL DRIVE WARRENTON, VA 20186	$0.00
0002757	SHERRY PARKER-BARR	14334 S. SHEPARD DOLTON, IL 60419	$0.00
0002758	DEAN RUDAY	130 ORTHODOX DRIVE RICHBORO, PA 18954	$127,000.00
0002759	WOMAN'S GROUP OF MERIDIAN	1221 24TH AVE. MERIDIAN, MS 39301	$0.00
0002762	ROBERT TURNER	1897 BOONE HALL DRIVE CHARLESTON, SC 29407	$0.00
0002763	HERBERT FLOYD	5001 HARDY STREET HATTIESBURG, MS 39402	$0.00
0002764	DAVID JAMESON	5001 HARDY STREET HATTIESBURG, MS 39402	$0.00

0002771	GERREN PERRY	11201 POPLAR GROVE COURT LAUREL, MD 20708	$155.70
0002774	MEDICAL CARE AVAILABILITY & REDUCTION OF ERROR FUND	ATTN: BETH PERSUN 1010 N. 7TH STREET, SUITE 201 HARRISBURG, PA 17102	$3,189.20
0002776	ALDERFER / KUPERSMITH ASSOCIATES	670 LAWN AVE, STE. 4 SELLERVILLE, PA 18960	$0.00
0002777	ALDERFER / KUPERSMITH ASSOCIATES	670 LAWN AVE, SUITE 4 SELLERVILLE, PA 18960	$0.00
0002778	LAURA DABINETT	1820 PLAZA DR. WINCHESTER, VA 22601	$363,095.57
0002779	PENNSYLVANIA VASCULAR ASSOCIATES, P.C.	700 SPRUCE ST., STE. 101 PHILADELPHIA, PA 19106	$375.00
0002780	ALF ADLER	ADLER CENTER FOR WOMENS HEALTH 22960 OPITZ BLVD., STE. 350 WOODBRIDGE, VA 22191	$0.00
0002782	ACUTECARE, LLC	2412 RING ROAD ELIZABETHTOWN, KY 42701	$0.00
0002783	ACUTECARE, LLC	2412 RING ROAD ELIZABETHTOWN, KY 42701	$0.00
0002788	OCEANWAY MEDICAL CENTER, INC.	11513 NORTH MAIN STREET JACKSONVILLE, FL 32218	$0.00
0002789	ZOUHEIR SHAMA	2536 Cosmos Drive ATLANTA, GA 30345	$0.00
0002793	RICHARD SNOW	701 UNIVERSITY BLVD E STE 707 TUSCALOOSA, AL 35401	$4,170.97
0002794	Dallas Emergency Group, LLC	PO Box 80369 Lafayette, LA 70598	$0.00
0002795	THE SCHUMACHER GROUP OF TEXAS, INC	PO BOX 80369 LAFAYETTE, LA 70598	$0.00
0002796	GRAY EMERGENCY GROUP, L.P	PO BOX 80369 LAFAYETTE, LA 70598	$1,351.30
0002801	LINCOLN EMERGENCY GROUP, LLC	P.O. BOX 80369 LAFAYETTE, LA 70598	$927.02
0002802	The Estate of Victor Chase and Kammy Chase	223 FOURTH AVENUE, 10TH FLOOR PITTSBURGH, PA 15222	$0.00
0002803	WEST VIRGINIA INSURANCE COMMISSION	P.O. BOX 50540 CHARLESTON, WV 25305	$0.00
0002804	ESTATE AND HEIRS OF PATRICK JACKSON	ATTN: JUDITH BARNETT, ESQ. 501 SOUTH STATE STREET JACKSON, MS 39201	$0.00
0002805	PAUL QUINN	2194 RAWLE STREET PHILADELPHIA, PA 19149	$0.00
0002806	ERNEST COPE	UPPER BUCKS ORTHOPAEDIC ASSOC. 711 LAWN AVENUE, PROF. CTR. SELLERSVILLE, PA 18960-1582	$0.00
0002810	THE SCHUMACHER GROUP OF NEW MEXICO, INC.	P.O. BOX 80369 LAFAYETTE, LA 70598	$0.00
0002816	TAMMY WILLOUGHBY	ADMIN. OF EST. OF WANDA BYERS 104 EAST FOURTH STREET OWENSBORO, KY 42302-0549	$0.00

0002818	UPPER BUCKS ORTHAEPEDIC ASSOC.	711 LAWN AVENUE - PROFESSIONAL CTR. SELLERSVILLE, PA 18960-1582	$0.00
0002826	SAEID ALEMO, MD	2630 HOLME AVENUE, STE. 103 PHILADELPHIA, PA 19152	$5,000.00
0002843	GREGORY BROWN	C/O DAVID M. CANTOR 462 SOUTH FOURTH ST., STE. 2200 LOUISVILLE, KY 40202	$0.00
0002852	MEDICAL CARE AVAILABILITY & REDUCTION OF ERROR FUND	ATTN: BETH PERSUN 1010 N. 7TH STREET, SUITE 201 HARRISBURG, PA 17102	$59,322.93
0002853	MEDICAL CARE AVAILABILITY & REDUCTION OF ERROR FUND	ATTN: BETH PERSUN 1010 N. 7TH STREET, SUITE 201 HARRISBURG, PA 17102	$44,126.34
0002854	MEDICAL CARE AVAILABILITY & REDUCTION OF ERROR FUND	ATTN: BETH PERSUN 1010 N. 7TH STREET, SUITE 201 HARRISBURG, PA 17102	$76,830.85
0002855	MEDICAL CARE AVAILABILITY & REDUCTION OF ERROR FUND	ATTN: BETH PERSUN 1010 N. 7TH STREET, SUITE 201 HARRISBURG, PA 17102	$31,501.09
0002856	MEDICAL CARE AVAILABILITY & REDUCTION OF ERROR FUND	ATTN: BETH PERSUN 1010 N. 7TH STREET, SUITE 201 HARRISBURG, PA 17102	$24,863.40
0002857	MEDICAL CARE AVAILABILITY & REDUCTION OF ERROR FUND	ATTN: BETH PERSUN 1010 N. 7TH STREET, SUITE 201 HARRISBURG, PA 17102	$121,661.20
0002858	MEDICAL CARE AVAILABILITY & REDUCTION OF ERROR FUND	ATTN: BETH PERSUN 1010 N. 7TH STREET, SUITE 201 HARRISBURG, PA 17102	$0.00
0002859	MEDICAL CARE AVAILABILITY & REDUCTION OF ERROR FUND	ATTN: BETH PERSUN 1010 N. 7TH STREET, SUITE 201 HARRISBURG, PA 17102	$0.00
0002860	AMY JOHNSON	2320 DEYERLE KNOB RD. ROCKY MT., VA 24151	$0.00
0002865	HALL, RENDER, KILLIAN, HEATH & LYMAN, P.S.C.	ONE AMERICAN SQUARE, STE. 2000 INDIANAPOLIS, IN 46282	$1,983.38
0002866	HALL, RENDER, KILLIAN, HEATH & LYMAN, P.S.C.	ONE AMERICAN SQUARE, STE. 2000 INDIANAPOLIS, IN 46282	$6,187.76
0002867	HALL, RENDER, KILLIAN, HEATH & LYMAN, P.S.C.	ONE AMERICAN SQUARE, STE. 2000 INDIANAPOLIS, IN 46282	$9,161.64
0002868	HALL, RENDER, KILLIAN, HEATH & LYMAN, P.S.C.	ONE AMERICAN SQUARE, STE. 2000 INDIANAPOLIS, IN 46282	$1,148.48
0002869	HALL, RENDER, KILLIAN, HEATH & LYMAN, P.S.C.	ONE AMERICAN SQUARE, STE. 2000 INDIANAPOLIS, IN 46282	$2,303.00
0002870	HALL, RENDER, KILLIAN, HEATH & LYMAN, P.S.C.	ONE AMERICAN SQUARE, STE. 2000 INDIANAPOLIS, IN 46282	$3,166.20
0002871	HALL, RENDER, KILLIAN, HEATH & LYMAN, P.S.C.	ONE AMERICAN SQUARE, STE. 2000 INDIANAPOLIS, IN 46282	$7,170.84
0002897	DONALD HARDIN, ADMIN. FOR MARTHA HARDIN & FRANK HANSON	4401 GARY AVE. FAIRFIELD, AL 35064	$0.00
0002899	BRENDA NOLEN, AS ADMIN, LAWRENCE NOLEN & FRANK HANSON	4401 GARY AVE. FAIRFIELD, AL 35064	$0.00

0002920	ROBERT MCGREW	11100 Rivercrest Drive LITTLE ROCK, AR 72212	$0.00
0002922	ARIZONA DEPARTMENT OF INSURANCE	ATTN: KELLY STEPHENS, COMPLIANCE SECTION MGR. 2910 N. 44TH STREET, SUITE 210 PHOENIX, AZ 85018-7256	$1,001.40
			$931,759.40