# IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT IN AND FOR LEON COUNTY, FLORIDA

In Re: The Receivership of

CASE NO. 1992-CA-005286

INSURANCE COMPANY OF FLORIDA

# RECEIVER'S MOTION FOR APPROVAL OF THE FIFTH INTERIM CLAIMS REPORT AND RECOMMENDATION ON CLAIMS

THE FLORIDA DEPARTMENT OF FINANCIAL SERVICES, as Receiver of Insurance Company of Florida (hereinafter "Receiver"), moves this Honorable Court for an entry of an Order approving the Receiver's Fifth Interim Claims Report and Recommendation on Claims and in support of its motion states:

- 1. Insurance Company of Florida (hereinafter "ICF"), was a Florida corporation previously authorized to transact insurance business in the State of Florida. On December 29, 1992, this Court adjudicated ICF insolvent and entered the Order Appointing the Florida Department of Insurance as Receiver (of ICF) for the Purposes of Liquidation, Injunction, and Notice of Automatic Stay (the "Order"). On January 7, 2003, the Florida Department of Insurance became a part of the Florida Department of Financial Services.
- 2. This Court has jurisdiction over the ICF Receivership and is "authorized to make all necessary or proper orders to carry out the purposes of the Florida Insurers Rehabilitation and Liquidation Act, section 631.021(1), Florida Statutes.
- 3. The Receiver's First Interim Claims Report (Receiver's Motion for Order Authorizing Distribution to class 3 Employee Priority Claim and memorandum in Support of Same) was filed September 27, 1993, and approved by this Court's Order on September 29, 1993. This report contained the eighteen then class 3, now class 5, claims of company employees of ICF. The Receiver's Second Interim Claims Report was filed on February 7, 2011,

and approved by this Court's Order on February 8, 2011 (attached as **EXHIBIT A**). This report contained the filed claims from all states in class 1 and class 2, except for Puerto Rico claims. The Receiver's Third Interim Claims Report was filed on September 19, 2011, and approved by this Court's Order on September 26, 2011 (attached as **EXHIBIT B**). This report contained the filed claims in class 2 for Puerto Rico claimants, class 3 claims of all states, and one class 5 employee claim. The claims of the Puerto Rico Insurance Guaranty Association ("PRIGA") and one pending Class 2 loss claim were not included. The Receiver's Fourth Interim Claims Report was filed on June 2, 2015 and approved by this Court's Order on June 3, 2015 (attached as **EXHIBIT C**). This report contained two Class 1, one Class 2, and one Class 3 claims of the PRIGA, as well as two Class 2 loss claims and was approved by this Court's Order on June 3, 2015. The Receiver's Fifth Interim Claims Report contains claims in Class 4, Class 6 and Class 8.

- 4. The Receiver's Fifth Interim Claims Report is extremely detailed and contains non-public personal information, including personally identifiable financial information, relating to the claimants. Pursuant to Federal Law, specifically the Gramm-Leach-Bliley Act, 15 USCS §6801 (hereinafter the "Act"), there is an obligation to protect the security and confidentiality of an individual's non-public personal information.
- 5. In furtherance of the Act's purpose, and in order to protect claimants of the ICF estate, the Receiver has not attached the full Fifth Interim Claims Report to this motion. Instead, the Receiver offers summary pages of the report that reflect the total amounts claimed and recommended by the Receiver. Upon this Court's request, the Receiver would immediately provide to the Court, a full copy of the Fifth Interim Claims Report. The Receiver's Fifth Interim Claims Report, dated March 3, 2016, is broken down into two parts. Part A is for non-

guaranty association claimants and Part B is for guaranty association claimants. Summary pages of both Parts A and B are attached as **COMPOSITE EXHIBIT D**. This report reflects classification of filed claims by priority in accordance with section 631.271, Florida Statutes. The total amount claimed in Part A of the Report is \$16,739,968.76. The total amount recommended by the Receiver in Part A of the Report is \$709,480.31. The total amount claimed in Part B of the Report is \$505,834.92. The total amount recommended by the Receiver in Part B of the Report is \$505,834.92.

- 6. Pursuant to section 631.182(1), Florida Statutes, claimants are entitled to notice of the Receiver's recommendation on their claims and the deadline for filing an objection. A sample copy of the "Notice of Determination" is attached as **EXHIBIT E**. Additionally pursuant to section 631.182(1), Florida Statutes, the Court "shall enter an order approving the claims so reported, unless an objection is filed thereto within a deadline set by the court."
- 7. The Receiver recommends a deadline that allows ample time for the Receiver to provide the notices of determination and for claimants to file an objection with the Court. In the case of ICF, such a deadline would not be less than forty-five (45) days from the date of this Court's Order granting approval of the Report.
- 8. The Receiver has a procedure for handling late filed objections. For any objection filed after the deadline, the Receiver will send a letter to the claimant advising them that their objection was not filed in compliance with Florida Statutes and this Court's Order and will not be handled as a filed objection. A copy of this letter will be filed with the Court.
- 9. In an ongoing effort to maintain accuracy and efficiency, the Receiver proactively works to update its records to reflect change of address information for interested parties (e.g. agents, claimants, creditors, policyholders, subscribers, etc.) before mailing notifications and

distribution checks. The Receiver has access to databases and other publicly available information which provide updated information. The Receiver recommends that it have the authority to search for change of address information when applicable and to use the change of address information for future mailings without further direction of this Court.

10. In order to ensure the validity of claim assignments, that the processing of assignments does not create an undue burden on estate assets, and that assignment decisions are made using the best information available, the Receiver does not recognize or accept any assignment of claim(s) by the claimant of record unless the following criteria are met: (1) a distribution petition has not been filed with this Court, (2) the Receiver has been provided a properly executed and notarized assignment claim agreement entered into between the parties, and (3) the Receiver has been provided with a properly executed and notarized Receiver's Assignment of Claim Change Form and required supporting documentation. The Receiver's Assignment of Claim Change Form shall contain an acknowledgement by the claimant or someone authorized to act on behalf of the claimant, that: (1) the claimant is aware that financial information regarding claims distributions and payments published on the Receiver's website or otherwise available can assist the claimant in making an independent and informed decision regarding the sale of the claim, (2) the claimant understands that the purchase price being offered in exchange for the assignment may differ from the amount ultimately distributed in the receivership proceeding with respect to the claim, (3) it is the claimant's intent to sell their claim and have the Receiver's records be permanently changed to reflect the new owner, and (4) the claimant understands that they will no longer have any title, interest, or rights to the claim including future mailings and distributions if they occur.

WHEREFORE, the Receiver respectfully requests this Court enter an Order:

A. Approving the Receiver's Fifth Interim Claims Report and Recommendation on

Claims for which no objections are filed;

B. Authorizing and directing the Receiver to establish an objection filing deadline

that is not less than forty-five (45) days from the date of this Court's Order granting approval of

the Report;

C. Authorizing and directing the Receiver to provide notice to each claimant, as

herewith reported to the Court, of the Receiver's recommendation regarding their claim and the

deadline for filing objections, by United States Mail to the last known address of such person, as

shown in the Receiver's files;

D. Approving the Receiver's sample "Notice of Determination" and directing all

persons who have filed claims, as herewith reported to the Court, to file any objection they might

have to the Receiver's Report with the Clerk of this Court on or before the objection filing

deadline at:

Clerk of the Leon County Circuit Court

Leon County Courthouse

301 S. Monroe Street

Tallahassee, Florida 32301;

**AND** file a copy of said objection with the Receiver at the following address:

The Florida Department of Financial Services,

Division of Rehabilitation and Liquidation

As Receiver for Insurance Company of Florida

2020 Capital Circle S.E., Suite 310

Tallahassee, Florida 32301

E. Requiring any persons filing objections to submit documentation to support their

claim and that the Court will not consider any information or documentation submitted after the

objection is filed;

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- F. Approving the Receiver's procedure for addressing late filed objections;
- G. Authorizing the Receiver to proactively search for change of address information for interested parties and to use the change of address information for future mailings; and
  - H. Approving the Receiver's recommendation on assignment of claims.
     SUBMITTED this 7<sup>th</sup> day of March, 2016.

/s/ Steven G. Brangaccio
STEVEN G. BRANGACCIO,
SENIOR ATTORNEY
Florida Bar No. 0071773
Florida Department of Financial Services
Division of Rehabilitation and Liquidation
2020 Capital Circle, S.E.
Tallahassee, Florida 32301
Steven.Brangaccio MyFloridaCFO.com
(850) 413-4445

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA

In Re: The Receivership of

INSURANCE COMPANY OF FLORIDA

CASE NO. 1992-CA-005286

ORDER APPROVING RECEIVER'S SECOND INTERIM <u>C</u>LAIMS REPORT AND RECOMMENDATION ON CLAIMS

THIS MATTER came on upon the Florida Department of Financial Services, as Receiver of Insurance Company of Florida's (the "Receiver"), Motion for Approval of the Second Interim Claims Report and Recommendation on Claims. The Court having reviewed the pleadings of record and being otherwise fully informed in the premises, finds as follows:

It is **ORDERED** and **ADJUDGED**:

1. The Receiver's Second Interim Claims Report for which no objections are filed is

approved;

2. The Receiver is authorized and directed to establish an objection filing deadline

that is not less than forty-five (45) days from the date of this Court's Order granting approval of

the Report;

3. The Receiver is directed to provide notice to each claimant, as herewith reported

to the Court, of the Receiver's recommendation regarding their claim and the deadline for filing

objections, by United States Mail to the last known address of such person, as shown in the

Receiver's files;

4. The Receiver's sample "Notice of Determination" is approved and all persons

who have filed claims, as herewith reported to the Court, are directed to file any objection they

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INSURANCE COMPANY OF FLORIDA

2<sup>nd</sup> Judicial Circuit Court, in and for Leon County, Florida CASE NO. 1992-CA-005286

**EXHIBIT** A

might have to the Receiver's Report with the Clerk of this Court on or before the objection filing deadline at:

Clerk of the Leon County Circuit Count Leon County Courthouse 301 S. Monroe Street Tallahassee, Florida 32301

AND file a copy of said objection with the Receiver at the following address:

The Florida Department of Financial Services, Division of Rehabilitation and Liquidation As Receiver for Insurance Company of Florida P.O. Box 110 Tallahassee, Florida 32302-0110;

- 5. All persons filing any objection are required to submit documentation to support their claim and the Court will not consider any information or documentation submitted after the objection is filed; and
  - 6. The Receiver's procedure for addressing late filed objections is approved.

DONE and ORDERED in Chambers at the Leon County Courthouse, Tallahassee, Leon

County, Florida, this day of the out.

JACKIE L. FULFORD

Circuit Judge

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA

In Re: The Receivership of INSURANCE COMPANY OF FLORIDA

CASE NO. 1992-CA-005286

# ORDER APPROVING RECEIVER'S THIRD INTERIM CLAIMS REPORT AND RECOMMENDATION ON CLAIMS

THIS MATTER came on upon the Florida Department of Financial Services, as Receiver of Insurance Company of Florida's (the "Receiver"), Motion for Approval of the Third Interim Claims Report and Recommendation on Claims. The Court having reviewed the pleadings of record and being otherwise fully informed in the premises, finds as follows:

#### It is ORDERED and ADJUDGED:

- 1. The Receiver's Third Interim Claims Report for which no objections are filed is approved;
- 2. The Receiver is authorized and directed to establish an objection filing deadline that is not less than forty-five (45) days from the date of this Court's Order granting approval of the Report;
- 3. The Receiver is directed to provide notice to each claimant, as herewith reported to the Court, of the Receiver's recommendation regarding their claim and the deadline for filing objections, by United States Mail to the last known address of such person, as shown in the Receiver's files;
- 4. The Receiver's sample "Notice of Determination" is approved and all persons who have filed claims, as herewith reported to the Court, are directed to file any objection they

might have to the Receiver's Report with the Clerk of this Court on or before the objection filing deadline at:

Clerk of the Leon County Circuit Court Leon County Courthouse 301 S. Monroe Street Tallahassee, Florida 32301

AND file a copy of said objection with the Receiver at the following address:

The Florida Department of Financial Services, Division of Rehabilitation and Liquidation As Receiver for Insurance Company of Florida P.O. Box 110 Tallahassee, Florida 32302-0110;

- 5. All persons filing any objection are required to submit documentation to support their claim and the Court will not consider any information or documentation submitted after the objection is filed; and
  - 6. The Receiver's procedure for addressing late filed objections is approved.

DONE and ORDERED in Chambers at the Leon County Courthouse, Tallahassee, Leon County, Florida, this Quaday of Suptember , 2011.

JACKIE L. FULFORD
Circuit Judge

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA

In Re: The Receivership of INSURANCE COMPANY OF FLORIDA

CASE NO. 1992-CA-005286

ORDER APPROVING RECEIVER'S FOURTH INTERIM CLAIMS REPORT AND RECOMMENDATION ON CLAIMS

THIS MATTER came on upon the Florida Department of Financial Services, as Receiver of Insurance Company of Florida's (the "Receiver") Motion for Approval of the Fourth Interim Claims Report and Recommendation on Claims. The Court having reviewed the pleadings of record and being otherwise fully informed in the premises, finds as follows:

It is **ORDERED** and **ADJUDGED**:

1. The Receiver's Fourth Interim Claims Report for which no objections are filed is

approved;

2. The Receiver is authorized and directed to establish an objection filing deadline

that is not less than forty-five (45) days from the date of this Court's Order granting approval of

the Report;

3. The Receiver is directed to provide notice to each claimant, as herewith reported

to the Court, of the Receiver's recommendation regarding their claim and the deadline for filing

objections, by United States Mail to the last known address of such person, as shown in the

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Receiver's files;

INSURANCE COMPANY OF FLORIDA

2<sup>nd</sup> Judicial Circuit Court, in and for Leon County, Florida CASE NO. 1992-CA-005286

**EXHIBIT C** 

4. The Receiver's sample "Notice of Determination" is approved and all persons who have filed claims, as herewith reported to the Court, are directed to file any objection they might have to the Receiver's Report with the Clerk of this Court on or before the objection filing deadline at:

Clerk of the Leon County Circuit Court Leon County Courthouse 301 S. Monroe Street Tallahassee, Florida 32301

AND file a copy of said objection with the Receiver at the following address:

The Florida Department of Financial Services, Division of Rehabilitation and Liquidation As Receiver for Insurance Company of Florida 2020 Capital Circle S.E., Suite 310 Tallahassee. Florida 32301:

- 5. All persons filing any objection are required to submit documentation to support their claim and the Court will not consider any information or documentation submitted after the objection is filed; and
  - 6. The Receiver's procedure for addressing late filed objections is approved.

DONE and ORDERED in Chambers at the Leon County Courthouse, Tallahassee, Leon County, Florida, this 3 day of 2015.

ANGELA DEMPSEY
Circuit Judge

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# FLORIDA DEPARTMENT OF FINANCIAL SERVICES -DIVISION OF REHABILITATION AND LIQUIDATION INSURANCE COMPANY OF FLORIDA FIFTH INTERIM CLAIMS REPORT PART A - FOR NON GUARANTY ASSOCIATION CLAIMANTS

| SUMMARY TOTALS  |                  |   |   |
|---|------------------|---|---|
| TOTAL AMOUNT CLAIMED BY NON GUARANTY ASSOCIATION CLAIMANTS TOTAL AMOUNT RECOMMENDED TO NON GUARANTY ASSOCIATION CLAIMANTS                                       |                  | \$16,739,968.76<br>\$709,480.31   |   |
| TOTAL NUMBER  |                  | 1,179   |   |
| Secured Claims  |                  |   |   |
| COUNT OF SECURED CLAIMS:  | 0                |   |   |
| AMOUNT CLAIMED FOR SECURED CLAIMS BY NON GUARANTY ASSOCIATION AMOUNT RECMD FOR SECURED CLAIMS TO NON GUARANTY ASSOCIATION                                       | \$0.00           |   |   |
| UnSecured Claims  |                  |   |   |
| COUNT OF CLASS 1 CLAIMS : AMOUNT CLAIMED FOR CLASS 1 CLAIMS BY NON GUARANTY ASSOCIATION AMOUNT RECMD FOR CLASS 1 CLAIMS TO NON GUARANTY ASSOCIATION CLAIMANTS : | 0<br>\$0.00      | COUNT OF CLASS 6 CLAIMS :<br>AMOUNT CLAIMED FOR CLASS 6 CLAIMS BY NON GUARANTY ASSOCIATION<br>AMOUNT RECMD FOR CLASS 6 CLAIMS TO NON GUARANTY ASSOCIATION CLAIMANTS : | 1,077<br>\$1,868,032.77<br>\$616,478.56 |
| COUNT OF CLASS 2 CLAIMS :   | 0                | COUNT OF CLASS 7 CLAIMS :   | 0                                       |
| AMOUNT CLAIMED FOR CLASS 2 CLAIMS BY NON GUARANTY ASSOCIATION AMOUNT RECMD FOR CLASS 2 CLAIMS TO NON GUARANTY ASSOCIATION CLAIMANTS:                            | \$0.00           | AMOUNT CLAIMED FOR CLASS 7 CLAIMS BY NON GUARANTY ASSOCIATION AMOUNT RECMD FOR CLASS 7 CLAIMS TO NON GUARANTY ASSOCIATION CLAIMANTS:                                  | \$0.00                                  |
| COUNT OF CLASS 3 CLAIMS :   | 0                | COUNT OF CLASS 8 CLAIMS :   | 100                                     |
| AMOUNT CLAIMED FOR CLASS 3 CLAIMS BY NON GUARANTY ASSOCIATION AMOUNT REC MD FOR CLASS 3 CLAIMS TO NON GUARANTY ASSOCIATION CLAIMANTS:                           | \$0.00           | AMOUNT CLAIMED FOR CLASS 8 CLAIMS BY NON GUARANTY ASSOCIATION AMOUNT RECMD FOR CLASS 8 CLAIMS TO NON GUARANTY ASSOCIATION CLAIMANTS:                                  | \$14,870,966.24<br>\$92,032.00          |
| COUNT OF CLASS 4 CLAIMS :   | 2                | COUNT OF CLASS 9 CLAIMS :   | 0                                       |
|   | 969.75<br>969.75 | AMOUNT CLAIMED FOR CLASS 9 CLAIMS BY NON GUARANTY ASSOCIATION AMOUNT RECMD FOR CLASS 9 CLAIMS TO NON GUARANTY ASSOCIATION CLAIMANTS:                                  | \$0.00                                  |
| COUNT OF CLASS 5 CLAIMS :   | 0                | COUNT OF CLASS 10 CLAIMS :  | 0                                       |
| AMOUNT CLAIMED FOR CLASS 5 CLAIMS BY NON GUARANTY ASSOCIATION AMOUNT RECMD FOR CLASS 5 CLAIMS TO NON GUARANTY ASSOCIATION CLAIMANTS:                            | \$0.00           | AMOUNT CLAIMED FOR CLASS 10 CLAIMS BY NON GUARANTY ASSOCIATION AMOUNT RECMD FOR CLASS 10 CLAIMS TO NON GUARANTY ASSOCIATION CLAIMANTS :                               | \$0.00                                  |

Note: If status is unevaluated, then dollar amounts have been suppressed

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### INSURANCE COMPANY OF FLORIDA

2<sup>nd</sup> Judicial Circuit Court, in and for Leon County, Florida CASE NO. 1992-CA-005286 COMPOSITE EXHIBIT D

# FLORIDA DEPARTMENT OF FINANCIAL SERVICES -DIVISION OF REHABILITATION AND LIQUIDATION INSURANCE COMPANY OF FLORIDA FIFTH INTERIM CLAIMS REPORT PART B - FOR GUARANTY ASSOCIATION

### **SUMMARY TOTALS**

| TOTAL AMOUNT CLAIMED BY GUARANTY ASSOCIATION     | \$505,834.92                |  |
|--|-----------------------------|--|
| TOTAL AMOUNT RECOMMENDED TO GUARANTY ASSOCIATION | \$505,834.92                |  |
| TOTAL NUMBER                                     | 17                          |  |
|  |                             |  |
|  |                             |  |
| UNT OF CLASS 1 CLAIMS :                          | 0 COUNT OF CLASS 6 CLAIMS : |  |

| COUNT OF CLASS 1 CLAIMS :   | 0      | COUNT OF CLASS 6 CLAIMS :   | 17           |
|---|--------|---|--------------|
| AMOUNT CLAIMED FOR CLASS 1 CLAIMS BY GUARANTY ASSOCIATION:  | \$0.00 | AMOUNT CLAIMED FOR CLASS 6 CLAIMS BY GUARANTY ASSOCIATION:  | \$505,834.92 |
| AMOUNT RECMD FOR CLASS 1 CLAIMS TO GUARANTY ASSOCIATION:  |        | AMOUNT RECMD FOR CLASS 6 CLAIMS TO GUARANTY ASSOCIATION:  | \$505,834.92 |
| COUNT OF CLASS 2 CLAIMS :   | 0      | COUNT OF CLASS 7 CLAIMS :   | 0            |
| AMOUNT CLAIMED FOR CLASS 2 CLAIMS BY GUARANTY ASSOCIATION : AMOUNT RECMD FOR CLASS 2 CLAIMS TO GUARANTY ASSOCIATION : | \$0.00 | AMOUNT CLAIMED FOR CLASS 7 CLAIMS BY GUARANTY ASSOCIATION AMOUNT RECMD FOR CLASS 7 CLAIMS TO GUARANTY ASSOCIATION | \$0.00       |
| COUNT OF CLASS 3 CLAIMS :   | 0      | COUNT OF CLASS 8 CLAIMS ;   | 0            |
| AMOUNT CLAIMED FOR CLASS 3 CLAIMS BY GUARANTY ASSOCIATION :   | \$0.00 | AMOUNT CLAIMED FOR CLASS 8 CLAIMS BY GUARANTY ASSOCIATION :   | \$0.00       |
| AMOUNT RECMD FOR CLASS 3 CLAIMS TO GUARANTY ASSOCIATION :   |        | AMOUNT RECMD FOR CLASS 8 CLAIMS TO GUARANTY ASSOCIATION :   |              |
| COUNT OF CLASS 4 CLAIMS ;   | 0      | COUNT OF CLASS 9 CLAIMS :   | . 0          |
| AMOUNT CLAIMED FOR CLASS 4 CLAIMS BY GUARANTY ASSOCIATION:  | \$0,00 | AMOUNT CLAIMED FOR CLASS 9 CLAIMS BY GUARANTY ASSOCIATION   | \$0.00       |
| AMOUNT RECMD FOR CLASS 4 CLAIMS TO GUARANTY ASSOCIATION:  |        | AMOUNT RECMD FOR CLASS 9 CLAIMS TO GUARANTY ASSOCIATION :   |              |
| COUNT OF CLASS 5 CLAIMS :   | 0      | COUNT OF CLASS 10 CLAIMS :  | 0            |
| AMOUNT CLAIMED FOR CLASS 5 CLAIMS BY GUARANTY ASSOCIATION :   | \$0.00 | AMOUNT CLAIMED FOR CLASS 10 CLAIMS BY GUARANTY ASSOCIATION:   | \$0.00       |
| AMOUNT RECMD FOR CLASS 5 CLAIMS TO GUARANTY ASSOCIATION :   |        | AMOUNT RECMD FOR CLASS 10 CLAIMS TO GUARANTY ASSOCIATION:   |              |
|   |        |   |              |

Note: If status is unevaluated, then dollar amounts have been suppressed

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## FLORIDA DEPARTMENT OF FINANCIAL SERVICES, RECEIVER

## «company»

# March 4, 2016 NOTICE of DETERMINATION

IDENTIFICATION NUMBER:

«amt\_claind»
«amt\_claind»
«AMT\_DUE\_CL»
«class»

A

AMOUNT CLAIMED: AMOUNT RECOMMENDED CLAIMANT:

CLASS:

INSURED:

POLICY NUMBER:

CLAIM NUMBER:

## THIS IS NOT A BILL

RCN: «CD COMPANY» «ID NO»-«SUFFIX»

«IMBARCODE»

### THIS IS NOT A BILL

RE: «COMPANY»

«LONGNAME»

«ADDRESSLINEI»

«ADDRESSLINE2»

«city» «state» «ZIPCODE»

**OBJECTION FILING DEADLINE: April 29, 2016** 

Civil Action: «CASE\_NO» 2<sup>nd</sup> Judicial Circuit Court Leon County, Florida

The purpose of this Notice of Determination is to inform you of the Receiver's recommendations concerning the amount recommended and classification of your claim filed against the Receivership Estate of «COMPANY».

A copy of the court order approving these recommendations and information outlining the statutory classification of claims ("Priority of Claims") can be obtained at the website listed below.

If the "Amount Recommended Claimant" is blank, your claim was not evaluated for an amount recommended as there are no funds to pay your claim. Additional explanation regarding payment of claims can be found on the back of this form.

If you agree with the amount recommended and the assigned class, no further action on your part is necessary.

If you object to the amount recommended or to the assigned class of your claim, you must file your WRITTEN objection with BOTH the Receiver (address below) and The Clerk of Court at:

CLERK OF THE LEON COUNTY CIRCUIT COURT LEON COUNTY COURTHOUSE 301 S. MONROE STREET TALLAHASSEE, FLORIDA 32301

Your objection **must be filed** (received) by **April 29, 2016**. We recommend that you send your objection by certified mail, return receipt requested. **OBJECTIONS FILED** (**RECEIVED**) **AFTER THE DEADLINE WILL NOT BE CONSIDERED**.

The objection procedure is:

- 1. At the top of your statement, include the following information: The Civil Action Number noted above, your identification number noted above, and your correct address, email address and telephone number. State in detail all legal and factual reasons for your objection.
- 2. Attach a copy of this notice and any documentation to support your objection. By order of the Court, all documentation must be filed with your objection.
- 3. File the original with the Clerk of Court, file a copy with the Receiver, and keep a copy for yourself.
- 4. If your objection cannot be resolved, a hearing will be scheduled before the Circuit Court, Leon County, Florida.

## FLORIDA DEPARTMENT OF FINANCIAL SERVICES, RECEIVER «company»

2020 CAPITAL CIRCLE SE, SUITE 310 TALLAHASSEE, FLORIDA 32301

Website: http://www.myfloridacfo.com/division/receiver

Telephone: 850-413-3081, Toll Free: 800-882-3054, Facsimile: 850-413-3997

INSURANCE COMPANY OF FLORIDA 2nd Judicial Circuit Court, in and for Leon County, Florida CASE NO. 1992-CA-005286 EXHIBIT E

# FLORIDA DEPARTMENT OF FINANCIAL SERVICES, RECEIVER «company»

#### **PAYMENT OF CLAIMS INFORMATION**

Please be advised that the assets in the receivership estate of «COMPANY» may not be sufficient to fund a distribution payment to all claimants. Distribution of funds to claimants is made in accordance with Section 631.271, Florida Statutes. This statute specifies the order in which claims are paid and may differ depending on the year the company was placed into receivership. Beginning with Class 1, all approved claims in a class must be paid in full before any payment is made to the next class. If there are insufficient funds to pay a class in full, all approved claims in that class are paid in equal pro rata shares. Therefore, depending on the assets available for distribution, you and other claimants in your class may only receive a percentage of the amount recommended on your claim (i.e. 25% pro rata share distribution of funds in your class equals 25 cents on the dollar). Further information on the financial condition of «COMPANY» can be found at the website listed below or the Global Receivership Information Database (GRID) website at www.naic.org.

As part of its duties, the Receiver must investigate, collect and convert all company assets into cash, evaluate claims and resolve all objections regarding the Receiver's evaluation. This process usually takes several years to complete. Distributions to claimants are made only if/when sufficient funds become available and the Court has approved the distribution. We cannot currently estimate if/when a payment may be made. Your patience in this process is appreciated.

#### **CLAIMANT INFORMATION**

If a distribution is made, the payee(s) name(s) on the claim check will be the same as the name(s) appearing on the front of this form. If the information on this form, including address, is incorrect, or becomes incorrect in the future, it is your responsibility to notify the Receiver and document any changes to a claimant's name or address. Information on how to submit a name and/or address change is available at the website listed below.

Some non-confidential information (i.e., certain claimant names, addresses and recommended claim information) is compiled by the Receiver and filed with the Court in order to make recommendations regarding the value and class of claims. This information is available to consumers as a public record in accordance with Article I, Section 24 of the Florida State Constitution and Chapter 119, Florida Statutes, and may be accessed through the court files of this receivership or via the Receiver's website.

**IMPORTANT INFORMATION:** You may be contacted by outside third parties who may offer to purchase your claim in exchange for the transfer of your rights to a distribution, if any, in the future. Please be advised that the Receiver is not in any way affiliated with third party purchasers of claims and cannot advise or counsel individual claimants with respect to any potential distribution amounts or assist a claimant in the personal decision to sell their claim to an outside third party. All available information on the financial condition of **«COMPANY»** may be found at the website listed below or the Global Receivership Information Database (GRID) website at www.naic.org.

## FLORIDA DEPARTMENT OF FINANCIAL SERVICES, RECEIVER «company»

2020 CAPITAL CIRCLE SE, SUITE 310 TALLAHASSEE, FLORIDA 32301

Website: http://www.myfloridacfo.com/division/receiver

Telephone: 850-413-3081, Toll Free: 800-882-3054, Facsimile: 850-413-3997