

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

IN RE: THE RECEIVERSHIP OF
SUNSTAR HEALTH PLANS, INC.

CASE NO.: 99-6705

FILED
CIRCUIT CIVIL DIV
07 JUL 16 PM 2:54
CLERK OF COURT
LEON COUNTY, FLORIDA

**RECEIVER'S MOTION FOR ORDER APPROVING THIRD INTERIM CLAIMS
REPORT AND RECOMMENDATIONS**

THE FLORIDA DEPARTMENT OF FINANCIAL SERVICES, as Receiver of SunStar Health Plan, Inc. ("Receiver"), files herewith the Receiver's Third Interim Claims Report and says:

1. SunStar Health Plan, Inc., ("SunStar"), was a Florida corporation previously authorized to transact the business of a health maintenance organization in the State of Florida pursuant to Chapter 641, Florida Statutes. On February 1, 2000, this Court adjudicated SunStar insolvent and entered the Order Appointing the Florida Department of Insurance as Receiver [of SunStar] for 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 SunStar 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. In accord with the Court's Order and Section 631.182, Florida Statutes, the Receiver has compiled a Third Interim Claims Report (the "Report") which consists of claims that were not included in the first two claims reports. The Report is attached hereto in electronic form as a diskette marked as Exhibit "A" and is broken down into two parts. Part A of the Report consists of claims of non-guaranty association claimants and Part B consists of all claims of guaranty association claimants.

4. Part A of the Report contains five filed claims by non-guaranty association claimants for a total amount claimed of \$60,876.52. The total amount recommended by the Receiver is \$00.00. For the Court's convenience, a paper copy of the summary totals from the "Third Interim Claims Report, Part A - For Non Guaranty Association Claimants" is attached as Exhibit "B".

5. Part B of the Report contains four filed claims by a guaranty association claimant for a total amount claimed of \$14,476,398.93. The total amount recommended by the Receiver for the payment of guaranty association claims is \$14,476,398.93. For the Court's convenience, a paper copy of the summary totals from the "Third Interim Claims Report, Part B - For Guaranty Association" is attached as Exhibit "C". The guaranty association identified within the report is the Florida Health Maintenance Organization Consumer Assistance Plan ("HMOCAP").

6. Under Section 631.181(1), Florida Statutes, claimants are entitled to notice of the Receiver's recommendations on their claim and the deadline for filing objections. Sample copies of "Notice to Claimants" are attached hereto as Composite Exhibit "D."

7. The Receiver requests that its Recommendations be approved unless an objection is filed thereto within a deadline set by the Court.

8. The Receiver has a procedure for dealing with late-filed objections. For any objection filed after the deadline, the Receiver will send a letter to the claimant advising the claimant that their objection was not filed in compliance with Florida Statutes and this Court's Order and, therefore will not be handled as a filed objection. A copy of this letter will be filed with the Court.

WHEREFORE, the Receiver moves this Court for entry for an Order:


A. Authorizing and directing the Receiver to provide notice to each claimant, as herewith reported to the Court, of the Receiver's recommendations regarding their claim, by U.S. Mail to the last known address of such persons, as shown in the Receiver's files.

B. Directing all persons who have filed claims, as herewith reported to the Court, to file any objection to the Receiver's report with the Clerk of this Court on or before 11:59 p.m. on Thursday, August 23, 2007, and requiring that a copy of said objection be served on the Receiver.

C. Requiring any persons filing objections to submit documentation to support their claim and declaring that the Court will not consider any information or documentation submitted after the objection is filed.

D. Finally, approving the Receiver's recommendations contained in Receiver's Third Interim Claims Report for which no objections are filed.

DATED this 13th day of July, 2007.



ERIC S. SCOTT, Senior Attorney
Florida Bar No. 0911496
Florida Department Of Financial Services
Division of Rehabilitation and Liquidation
Post Office Box 110
Tallahassee, Florida 32302-0110
(850) 413-4513 – Telephone
(850) 488-1510 - Facsimile