

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

In Re: The Receivership of  
Florida Specialty Insurance Company,  
a Florida corporation.

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CASE NO.: 2019 CA 002328

**ORDER APPROVING PROCEDURE OF  
DEEMING RETURN PREMIUM CLAIMS AS TIMELY FILED**

THIS CAUSE came before the Court for consideration upon the Department of Financial Services as Receiver for Florida Specialty Insurance Company's (hereinafter "Department") *Motion for Order Approving Procedure of Deeming Return Premium Claims as Timely Filed*. The Court having considered the Department's motion and being otherwise fully advised in the premises it is: **ORDERED AND ADJUDGED** as follows:

1. The Department's proposed procedure of waiving the requirement of filing a proof of claim form and deeming claims for unearned premium ("return premium") as timely filed is approved.
2. Under this approved procedure, the following will occur:
  - A. The Department will not require Proof of Claim forms ("POCs") from policyholders who have a potential claim in the Florida Specialty Insurance Company ("FSIC") estate for return premium. Potential claims include the return premium claims of policyholder claimants who had a policy in force on the date of liquidation and all other return premium claims of policyholder claimants who the Department calculates are due return premium.
  - B. The policyholders described in paragraph 2A do not need to do anything to file a claim for the return premium or to have their claim accepted by the Department.
  - C. The return premium claims identified above will be considered as timely filed in the FSIC estate.

D. Once the claims in the FSIC estate have been evaluated, the Department will advise the claimants of the determination of the class and amount of their claims. The claimants will have an opportunity to object to the Department's evaluation.

E. If the Department cannot resolve the claimant's objection, the Department will schedule a hearing with the Receivership Court.

F. The procedure outlined above is not intended to waive guaranty association or coverage determination proof of claim filing requirements, to the extent that the guaranty fund statute or filing requirements are inconsistent.

**DONE AND ORDERED** in Chambers at Tallahassee, Leon County, Florida, this 14 day of November, 2019.



Ronald W. Flury  
Circuit Judge

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