

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

IN THE MARION CIRCUIT COURT
CAUSE NO. 49C01-0811-MI-053358

CAROL CUTTER, as the Insurance)
Commissioner of the Department of Insurance)
of the State of Indiana,)
)
Petitioner,)
)
v.)
)
MEDICAL SAVINGS INSURANCE COMPANY,)
)
Respondent.)

FILED

258

OCT 07 2009

Elizabeth A. White
CLERK OF THE MARION CIRCUIT COURT

ORDER APPROVING PROOF OF CLAIM FORM AND BAR DATE

Indiana Insurance Commissioner Carol Cutter, as Liquidator of Medical Savings Insurance Company ("MSIC"), filed on September 25, 2009 the Liquidator's Recommendation as to Proof of Claim Form and Bar Date ("Liquidator's Recommendations").

Having now considered the Liquidator's Recommendations and being fully advised, the Court finds that the Liquidator's Recommendations should be approved in all respects.

IT IS, THEREFORE, ORDERED that:

1) The Proof of Claim form attached as Exhibit A to the Liquidator's Recommendations is hereby approved in all respects. Except for guaranty associations who may hereafter assert claims against MSIC by means of an Omnibus Proof of Claim to be developed by and between the Liquidator and the National Organization of Life and Health Insurance Guaranty Associations, any person or entity wishing to hereafter assert a claim against MSIC shall utilize the approved Proof of Claim form and shall provide all information requested therein. To the extent a claimant has more than one (1) claim as against MSIC, each individual claim shall be submitted separately on its own Proof of Claim form.

2) October 1, 2010 is hereby established as the "Bar Date" for the filing of all claims as against MSIC. Any person or entity wishing to make a claim of any sort against MSIC shall mail, on or before that date by first class United States Mail postage prepaid, a properly completed and executed Proof of Claim, with supporting documents, addressed to:

Medical Savings Insurance Company, In Liquidation
c/o Special Deputy Liquidator
P.O. Box 68961
Indianapolis, IN 46268-0961

In order for Proof of Claims to be timely filed and considered by the Liquidator's personnel, they shall be postmarked no later than the October 1, 2010 Bar Date. Proof of Claims that are not timely submitted shall be treated as late filed claims under Ind. Code § 27-9-3-40(7).

3) Within twenty-five (25) days of the date of this Order, the Liquidator is directed to mail, by regular first class United States mail, postage prepaid, a copy of the Notice (in the form attached to the Liquidator's Recommendations as Exhibit B) and a copy of the Proof of Claim (in the form attached to the Liquidator's Recommendations as Exhibit A) to the last known address indicated in MSIC's records or the records of the Liquidator (unless notices previously sent to such addresses were returned to the Liquidator) for the following groups of persons:

- a. Former officers and directors of MSIC;
- b. Medical Savings Investment, Inc.;
- c. Reinsurers of MSIC, if any;
- d. All insureds of MSIC;
- e. All insurance producers of MSIC;
- f. All known parties or their counsel of record in pending litigation and/or in claims involving MSIC or insureds of MSIC, including all known healthcare providers who have rendered services to MSIC insureds and who continue to assert claims for payments;

- g. All known creditors of MSIC;
- h. The Insurance Commissioners or Departments in each state or jurisdiction and the National Association of Insurance Commissioners;
- i. The Indiana Life and Health Insurance Guaranty Association, similar associations in the other states and jurisdictions where MSIC was licensed to do business and the National Organization of Life and Health Insurance Guaranty Associations (“NOLHGA”);
- j. The Indiana Secretary of State;
- k. The Indiana Attorney General;
- l. The Auditor of Marion County, Indiana;
- m. The Internal Revenue Service, both at its national and local offices;
- n. The Indiana Department of Revenue;
- o. The United States Attorney for the Southern District of Indiana;
- p. The Department of Justice; and
- q. All who have filed their appearance in this proceeding.

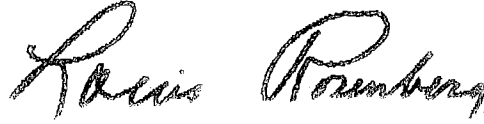
4) Within twenty-five (25) days of the entry of this Order, the Liquidator is also directed to publish the Notice (in the form attached to the Liquidator’s Recommendations as Exhibit B, yet modified to delete any references to enclosures) once in a newspaper of general circulation in Marion County, Indiana.

5) Upon completion of the mailings and publication required by paragraphs 3 and 4 above, the Liquidator is directed to file with the Court a Certificate of Compliance confirming that the mailings and publication were timely made, including identification of the newspaper in which publication was made and the date thereof.

6) The Court finds that the mailings and publication as specifically directed by paragraphs 3 and 4 above constitute the best notice practical, under the circumstances and

considering the rights and duties of the interested persons, and meet the requirements of due process concerning such notice.

Dated: OCT 07 2009



JUDGE, Marion Circuit Court

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