

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

IN THE MATTER OF THE LIQUIDATION OF)	
MILLERS FIRST INSURANCE COMPANY)	NO. 12 CH 21255
)	

ORDER

THIS CAUSE COMING TO BE HEARD upon the petition (the “Petition”) of Jennifer Hammer, Director of the Illinois Department of Insurance, acting solely in her capacity as Liquidator (the “Liquidator”) of Millers First Insurance Company (“Millers First” or the “Estate”), for the entry of an order approving the: (i) setting of a deadline for the timely-filing of claims against the Estate’s assets (the “Claim Filing Deadline”); (ii) setting of a deadline for the submission of proof of payment of a contingent claim (the “Contingent Claim Date”); (iii) form and substance of the notice of the Claim Filing Deadline and Contingent Claim Date (the “Notice”) to be provided to all persons, companies, and entities who Millers First’s books and records reveal have, or may have, claims against the Estate or its property or assets, or against a Millers First insured or policyholder (the “Potential Claimants”); (iv) procedures for notifying potential claimants of the Claim Filing Deadline and Contingent Claim Date (the “Notice Procedures”); (v) proof of claim contents; and (vi) Liquidator’s duties for the review of timely-filed claims; the Court having jurisdiction over the parties and the subject matter; the Court having reviewed the Petition and having heard from counsel for the Liquidator, and being otherwise fully advised in the premises;

IT IS HEREBY ORDERED THAT:

1) Claim Filing Deadline.

- a) March 4, 2019 at 4:30 p.m. C.S.T. is the final date for the timely filing of claims in the liquidation of Millers First.

2) Contingent Claim Date.

- a) March 4, 2020 at 4:30 p.m. C.S.T. is the final date by which an insured possessing a contingent claim (*i.e.*, a claim for which the insured's liability had not been determined as of August 30, 2017, the date on which Millers First was placed into liquidation (the "Liquidation Date")) may submit proof of payments it has made (both loss payments and attorney's fees incurred after the Liquidation Date) with respect to its contingent claim.

3) Form of Notice Of Claim Filing Deadline And Contingent Claim Date.

- a) The Notice shall inform Potential Claimants as follows:
- i) Of the Claim Filing Deadline;
 - ii) Of the Contingent Claim Date, applicable to insureds having contingent claims;
 - iii) What constitutes a Contingent Claim;
 - iv) That claims previously submitted to Millers First are timely filed and that no further action is required by the Potential Claimant (*i.e.*, The Liquidator shall treat as a timely filed proof of claim documentation in Millers First's books and records which, taken as a whole, comply with the requirements of Section 209(1)(a), 215 ILCS 5/209(1)(a), of the Illinois Insurance Code);
 - v) Where to submit a proof of claim form; and

vi) Contact information for purposes of requesting further information.

4) Notice Procedures.

- a) The Liquidator shall provide actual and constructive notice, as follows:
- i) The Liquidator shall provide actual notice to Potential Claimants by mailing a copy of the Notice, by United States mail first class postage prepaid, to the last known address identified in Millers First's books and records; and
 - ii) The Liquidator shall provide constructive notice by causing a copy of the Notice to be published once a week for three consecutive weeks in a newspaper of general circulation in the Counties of Cook and Madison, both of which are in the State of Illinois, and in a newspaper of general circulation in St. Louis County, Missouri, and in such other newspaper(s) and/or publication(s) as she may deem advisable.

5) Contents Of Proofs Of Claim.

- a) Section 209(1)(a), *supra*, provides that a proof of claim shall consist of:
- (a) Proof of claim shall consist of a statement signed by the claimant or on behalf of the claimant that includes all of the following that are applicable:
 - (i) the particulars of the claim including the consideration given for it;
 - (ii) the identity and amount of the security on the claim;
 - (iii) the payments made on the debt, if any;
 - (iv) that the sum claimed is justly owing and that there is no setoff, counterclaim, or defense to the claim;
 - (v) any right of priority of payment or other specific right asserted by the claimant;
 - (vi) the name and address of the claimant and the attorney, if any, who represents the claimant; and
 - (vii) the claimant's social security or federal employer identification number.

b) Section 209(2) of the Code, 215 ILCS 5/209(2), further provides that,

Whenever a claim is based upon a document, the document, unless lost or destroyed, shall be filed with the proof of claim. If the document is lost or destroyed, a statement of that fact and of the circumstances of the loss or destruction shall be included in the proof of claim... Except as otherwise provided in subsection (7), a proof of claim required under this Section must identify a known loss or occurrence.

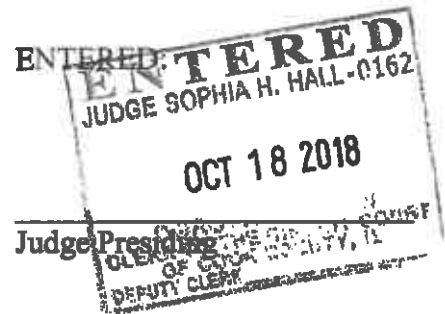
c) Subject to the provisions for the late filing of claims contained in Sections 208(2) and 208(3), 215 ILCS 5/208(2)-(3), of the Code and Section 545(b), 215 ILCS 5/545(b), of the Code which exempts the Illinois Insurance Guaranty Fund and any similar organization in another state from the requirements of Sections 208 and 209 of the Code, *supra*, no person having or claiming to have any claim or claims against Millers First or its property or assets shall participate in any distribution(s) of the assets of Millers First unless such claims are filed or presented in accordance with and within the time limits established by this Order.

6) Liquidator's Duty To Review Claims.

a) The Liquidator, pursuant to Section 209, 215 ILCS 5/209, of the Code and subject to the further order of this Court, shall examine and investigate any and all properly filed proofs of claim and submit her recommendations as to the allowance or disallowance, in whole or in part, of each such claim to the Court, unless it is reported to the Court that the assets of the Millers First will not be sufficient to pay

claims at a certain level of priority under Section 205(1) of the Code, 215 ILCS 5/205(1), and the Court therefore exempts the Liquidator pursuant to Section 209(12) of the Code, 215 ILCS 5/209(12), from the evaluation or adjudication of any claims at the designated level of priority.

7) This cause is set for status on December 27, 2018 at 9:30 ^{April 2, 2019}.



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