

STEPHEN W. ROBERTSON, as the Insurance
Commissioner of the Department of
Insurance of the State of Indiana,)
Petitioner,)
v.)
BENICORP INSURANCE COMPANY,)
Respondent.)

FILED
March 11, 2021
CLERK OF THE COURT
MARION COUNTY
AW

**ORDER AS TO THE FORM AND EXTENT OF NOTICE
TO BE PROVIDED REGARDING FINAL ACCOUNTING
AND DEADLINE FOR FILING OBJECTIONS THERETO**

On May 22, 2017, the Liquidator filed a Final Accounting and Recommendations as to Conditions and Procedures for Closing the Estate (“Final Accounting”) and on February 22, 2021, filed a Notice of Federal Release, Petition for Court to Consider Final Accounting and Updated Recommendations for Closing the Estate (“Petition”).

In anticipation of considering the Final Accounting and Petition, the COURT NOW ORDERS AND DIRECTS that:

1) The Liquidator, within fifteen (15) days of the date of this Order, provide notice of the Final Accounting, the Petition and the Liquidator's recommendation to close the Benicorp estate, all as set forth below.

A) By depositing in the United States mail (First Class, postage prepaid) the form of the Notice attached to the Petition as Exhibit D, addressed to the following:

(1) The three individuals previously insured by Benicorp who have approved Class 2 Uncovered Claims;

- (2) The twenty-eight Affected Associations and the National Organization of Life and Health Insurance Guaranty Associations;
- (3) Policyholders of Benicorp whose policies were in effect on the date the Order of Liquidation was entered;
- (4) The Insurance Commissioner or Departments in each state or jurisdiction and the National Association of Insurance Commissioners;
- (5) The Indiana Secretary of State;
- (6) The Indiana Attorney General;
- (7) The Indiana Department of Revenue;
- (8) The Marion County Auditor;
- (9) The Internal Revenue Service, both at its national and local offices;
- (10) The United States Attorney for the Southern District of Indiana;
- (11) The United States Department of Justice; and
- (12) All who have a current appearance on file in this proceeding.

B) By publishing the form of Notice attached to the Petition as Exhibit D, in a newspaper of general circulation in Marion County, Indiana; and

C) By posting on the website of the Indiana Department of Insurance:

- (1) The form of Notice attached to the Petition as Exhibit D;
- (2) A copy of the Final Accounting;
- (3) A copy of the Petition; and
- (4) A copy of this Order.

2) Any person or entity who wishes to object to the Final Accounting, to the Petition or to any other matter relating to closure of the Benicorp estate must, within thirty (30) days of the date of the Notice provided by the Liquidator as required above, file with the Court and serve upon the Liquidator's counsel a request for hearing. Any such request for hearing must include a detailed description of the objection being raised, including the facts, argument and law offered in support of the objection.

3) The Liquidator is also directed to file with the Court a Certificate of Compliance, confirming that notice was timely and properly provided as required by this Order. The Certificate of Compliance should also advise the Court if any objection or request for hearing was filed within the thirty (30) day period following the notice provided by the Liquidator.

March 10, 2021

Dated: _____

Sheryl Lynch

JUDGE, Marion County Circuit Court

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