

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

IN RE: The Receivership of
FIRST COMMERCIAL INSURANCE
COMPANY, a Florida corporation.

CASE NO.: 2009 CA 2668

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

THIS CAUSE came on for consideration upon the Florida Department of Financial Services as Receiver for First Commercial Insurance Company's ("Receiver") Motion for Approval of Procedure for Deeming Return Premium Claims as Timely Filed, and the Court having been advised in the premises, it is:

ORDERED AND ADJUDGED as follows:

1. The Receiver's proposed procedure of deeming return premium claims as timely filed is approved.
2. Under this approved procedure, the following will occur:
 - A. The Receiver will not require Proof of Claim forms (POCs) from policyholders who have a potential claim in the First Commercial Insurance Company ("FCIC") estate for "Return Premium." Potential claims include those policyholder claimants who had a policy in force on the date of liquidation and all other policyholder claimants who the Receiver calculates are due return premium. The term "policyholders" at this time does not include those who purchased vehicle service contracts.
 - B. The policyholders described in paragraph 2A do not need to do anything to file a claim for the return of premium or to have their claim accepted by the Receiver.

- C. The return premium claims identified above will be considered as timely filed in the FCIC estate.
- D. Once the claims in the FCIC estate have been evaluated, the Receiver 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 Receiver's evaluation.
- E. If the Receiver cannot resolve the Claimant's objection, the Receiver will schedule a hearing with the Receivership Court.

DONE AND ORDERED in Chambers in Leon County, Florida this 28th day of April, 2010.


JUDGE CHARLES A. FRANCIS

Copy furnished to:
Will Spillias, Esq.

Signed _____ APR 28 2010
Original to Clerk APR 28 2010
Copies sent 1 copy to DFS
to distribute to all