

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

In Re: The Receivership of
HOMEWISE PREFERRED
INSURANCE COMPANY,

Case No.: 2011 CA 2404

_____/

RECEIVER'S MOTION FOR ORDER
APPROVING RECEIVER'S CLAIMS STATUS REPORT

The Florida Department of Financial Services, as Receiver of Homewise Preferred Insurance Company ("Receiver"), by and through the undersigned counsel, hereby files this Motion for Order Approving Receiver's Claims Status Report and as good grounds therefor states the following:

1. HomeWise Preferred Insurance Company ("HPIC") was licensed in 2006, by the Office of Insurance Regulation ("OIR") as a stock domestic property and casualty insurance company authorized to do business in Florida.
2. On September 2, 2011, this Court entered a Consent Order Appointing the Florida Department of Insurance as Receiver of HPIC for Purposes of Rehabilitation, Injunction, and Notice of Automatic Stay. Subsequently, on November 4, 2011, this Court entered an Order Appointing the Department as Receiver of HPIC for Purposes of Liquidation, Injunction, and Notice of Automatic Stay.
3. Pursuant to section 631.021(1), Florida Statutes, this Court has jurisdiction over the HPIC receivership and is authorized to enter all necessary and/or proper orders to carry out the purpose of the Florida Insurers Rehabilitation and Liquidation Act, part I, chapter 631, Florida Statutes.
4. During the normal course of handling the claims of a liquidated insurance company, the Receiver sends a notice to all potential claimants; the claimant completes a proof of claim

(“POC”) form and files it with the Receiver; the Receiver then processes the filed POCs. After evaluation of the claims, the Receiver prepares an interim claims report, obtains approval of the interim claims report from the Court, and notices the claimants with the Receiver’s recommendations. Upon notice, the claimant has an opportunity to object to the Receiver’s determination as to the class and/or amount of the claim. Finally, a distribution is made after all claims are adjudicated.

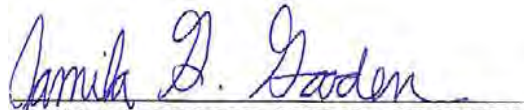
5. On or around August 27, 2012, the Receiver mailed POCs to potential claimants which listed the claims filing deadline as November 4, 2012. Along with the POCs, the Receiver provided notification to the potential claimants informing them that the HPIC estate had insufficient assets to make a distribution to the claimants, and unless sufficient assets were discovered at a later date, the claimants would not receive further contact from the Receiver.

6. As of September 30, 2015, the HPIC Statement of Affairs for HPIC shows a deficiency of assets over liabilities in an amount that makes it impossible for the Receiver to make any distributions to claimants beyond claims in Class 1.

7. In an effort to minimize additional cost to the estate, the Receiver will not evaluate claims in Classes 2-11 or file a report with the Court regarding those claims unless the estate recovers additional assets sufficient to make distributions beyond Class 1. As indicated in the Receiver’s August 27, 2012, notice to claimants, the Receiver will not mail any additional notifications to claimants with claims in Classes 2-11 unless it becomes necessary to evaluate claims in those classes.

WHEREFORE, the Receiver respectfully requests that this Court enter an Order Approving Receiver’s Claims Status Report

RESPECTFULLY SUBMITTED on this the 23rd day of **December 2015**.



JAMILA G. GOODEN, SENIOR ATTORNEY

Florida Bar No. 46740

Florida Department of Financial Services

Division of Rehabilitation and Liquidation

2020 Capital Circle S.E.

Suite 310

Tallahassee, Florida 32301

Telephone: (850) 413-3179

Facsimile: (850) 413-3990