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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MARION

STATE OF OREGON, Acting by and through
Cameron Smith, Director of the Oregon
Department of Consumer and Business Services,

Plaintiff,

v.

OREGON'S HEALTH CO-OP, an Oregon
nonprofit corporation,

Defendant.

Case No. 16CV22052

**ORDER APPROVING RECEIVER'S
THIRD CLAIMS REPORT AND
CLAIMS OBJECTION PROCEDURE**

THIS MATTER came before the court on consideration of the receiver's Third Claims Report, and his proposal to establish a process to address submitted claims and make interim distributions to priority claimants pending final disposition of the liquidation proceedings. By previous order, the court set a deadline of September 30, 2017 for submission of claims.

IT IS HEREBY ORDERED that:

- 1. The receiver's Third Claims Report is approved; and
- 2. The receiver's proposed objection procedure is adopted:
 - A. The receiver will provide notice to all claimants who have not previously been noticed of the receiver's recommendations regarding their claims, by U.S. Mail to the last-known address of such persons, as shown in the receiver's files. The Notice to Claimants will provide notice of the receiver's recommendation, the claim-specific information the receiver used to

1 adjudicate the claim, the objection deadline, and the procedure for filing an
2 objection;

- 3 B. All objections related to claims in the Third Claims Report must be filed on or
4 before 11:59 p.m. on March 15, 2018 at:

5 Clerk of the Marion County Circuit Court
6 Marion County Courthouse
7 100 High Street NE
8 Salem, OR 32301

9 Copies of all such objections must be served on the receiver at:

10 Receiver of Oregon's Health Choice
11 P.O. Box 40087
12 Portland, OR 97209

13 The court will not consider any objections not timely filed and served;

- 14 C. All objections must be accompanied by documentation to support the claim.

15 The court will not consider any information or documentation submitted
16 after the objection is filed;

- 17 D. The receiver shall try to resolve any objections that are filed. In the event an
18 objection cannot be resolved, the receiver shall file a recommendation of a
19 proposed resolution with the court, serving such recommendation on the
20 claimant. The court will set hearings as necessary to resolve any objections
21 that the receiver cannot settle;

- 22 E. The receiver's evaluation method for proof of claim forms with more than 25
23 claims included on the form is hereby approved; and

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1 F. The receiver is authorized to refund premiums to groups that can provide
2 proof of notice of cancellation of their OHC group policy before the
3 effective date of the receiver's cancellation.
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Signed: 1/4/2018 04:54 PM



Circuit Court Judge David Leith

11 Presented by:
12

13 Carolyn G. Wade # 832120
14 Senior Assistant Attorney General
15 Of Attorneys for Plaintiff
16 Department of Justice
17 1162 Court Street NE
18 Salem, OR 97301
19 Telephone: 503-934-4400
20 Facsimile: 503-373-7067
21 Email: Carolyn.G.Wade@doj.state.or.us
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1 **CERTIFICATE OF READINESS**

2 This proposed order is ready for judicial signature because:

3 1. [] Each opposing party affected by this order or judgment has stipulated to the order
4 or judgment, as shown by each opposing party's signature on the document being
submitted.

5 2. [] Each opposing party affected by this order or judgment has approved the order or
6 judgment, as shown by signature on the document being submitted or by written
confirmation of approval sent to me.

7 3. [] I have served a copy of this order or judgment on all parties entitled to service and
8 provided written notice of the objection period, and:

9 a. [] No objection has been served on me as of the date below.

10 b. [] I received objections that I could not resolve with the opposing party
11 despite reasonable efforts to do so. I have filed with the court a copy of the
objections I received and indicated which objections remain unresolved.

12 c. [] After conferring about objections, [*role and name of opposing party*]
13 agreed to file any remaining objection with the court by [*date*], which
predated my submission.

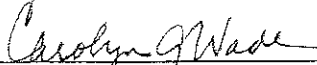
14 4. [] The relief sought is against an opposing party who has been found in default.

15 5. [] An order of default is being requested with this proposed judgment.

16 6. [X] Service is not required pursuant to UTCR 5.100(3), or by statute, rule, or
otherwise.

17 7. [] This is a proposed judgment that includes an award of punitive damages and
18 notice has been served on the Director of the Crime Victims' Assistance Section
as required by UTCR 5.100(4).

19
20
21 Dated: 1/4/18



Carolyn G. Wade, OSB #832120
Senior Assistant Attorney General