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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
Patrick Allen, 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 SETTING DEADLINES FOR
RECEIVER'S CLAIMS REPORTS AND
DEADLINES FOR OBJECTIONS**

THIS MATTER came before the Court on consideration of an appropriate process for the resolution of claims submitted to the Receiver during the liquidation process. By previous order, the Court set a deadline of September 30, 2017 for submission of claims. The Court is entering this order to establish a process for the Receiver to address submitted claims and make interim distributions to priority claimants pending final disposition of the liquidation proceedings.

Now, therefore,

IT IS HEREBY ORDERED that:

1. The Receiver shall file a claims report pursuant to ORS 734.280 on or about May 15, 2017 (the "First Claims Report"). The First Claims Report shall list any claims entitled to priority under ORS 734.360(2) that the Receiver proposes paying in full or in part from the then-existing assets. Upon court approval and resolution of any objections, the Receiver may distribute receivership assets to pay or partially pay the approved claims.

1 2. The Receiver shall file a second claims report on or about August 15, 2017 (the
2 “Second Claims Report”). The Second Claims Report shall describe the Receiver’s proposed
3 treatment of all claims entitled to priority pursuant to ORS 734.360(2) that have been processed
4 since the First Claim Report. Upon court approval and resolution of any objections, the Receiver
5 may distribute receivership assets to pay or partially pay the approved claims.

6 3. The Receiver shall file a third claims report on or before December 31, 2017 (the
7 “Third Claims Report”). The Third Claims Report shall describe the Receiver’s proposed
8 treatment of all unpaid claims entitled to priority pursuant to ORS 734.360(2) that have not
9 previously been paid or partially paid. The Third Claims Report shall also describe the status of
10 the liquidation proceedings and the likelihood of obtaining assets to pay any additional claim
11 amounts.
12

13 4. If assets become available to pay claims beyond what the Receiver has paid
14 pursuant to the first three claims reports, the Receiver shall file a fourth and final claims report
15 (the “Final Claims Report”). The Final Claims Report shall describe the Receiver’s proposed
16 treatment of all claims that have not been fully paid. The Receiver shall file the Final Claims
17 Report promptly after collecting all known receivership assets or determining that any further
18 collection efforts would not be prudent.
19

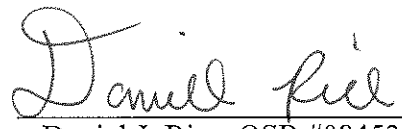
20 5. The Receiver shall serve all claims reports described above on the claimants and
21 any other interested parties. Any objections to the Receiver’s proposed treatment must be in
22 writing and be filed with the Court and served upon the Receiver within 20 days of service of the
23 report. Each claims report shall provide notice of the deadline and the procedure for objecting.
24 The Court will set hearings as necessary to resolve any objections to the claims report. The Court
25 will not consider any objections not timely filed and served.
26

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
despite reasonable efforts to do so. I have filed with the court a copy of the
11 objections I received and indicated which objections remain unresolved.
- 12 c. [] After conferring about objections, [*role and name of opposing party*]
agreed to file any remaining objection with the court by [*date*], which
13 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 Dated: 5/1/2017


21 Daniel J. Rice, OSB #084536
22 Assistant Attorney General