

STATE OF MICHIGAN
CIRCUIT COURT FOR THE 30TH JUDICIAL CIRCUIT
INGHAM COUNTY

R. KEVIN CLINTON, COMMISSIONER
OF THE OFFICE OF FINANCIAL AND
INSURANCE REGULATION,

Petitioner,

v

AMERICAN FELLOWSHIP MUTUAL
INSURANCE COMPANY,

Respondent.

Case No. 12-1173-CR

HON. WILLIAM E. COLLETTE

[IN LIQUIDATION]

Christopher L. Kerr (P57131)
Assistant Attorney General
Attorney for Petitioner
Corporate Oversight Division
P. O. Box 30755
Lansing, MI 48909
(517) 373-1160

**EX PARTE ORDER APPROVING COMPENSATION OF
JUDGMENT COLLECTION LEGAL COUNSEL**

At a session of said Court
held in the Circuit Courtrooms
for the County of Ingham,
State of Michigan, on the
6~~7~~ day of September, 2013.

PRESENT: HONORABLE WILLIAM E. COLLETTE, CIRCUIT COURT JUDGE

WHEREAS, R. Kevin Clinton, Director of the Michigan Department of Insurance and Financial Services¹ and duly appointed Liquidator of American Fellowship Mutual Insurance Company (the “Liquidator”), has filed an Ex Parte Petition for Approval of Compensation of Judgment Collection Legal Counsel (the “Ex Parte Petition”); and

WHEREAS, MCL 500.8121(1)(b) authorizes the Liquidator “[t]o employ employees and agents, legal counsel, actuaries, accountants, appraisers, consultants, and such other personnel as he or she considers necessary to assist in the liquidation”;

WHEREAS, MCL 500.8121(1)(c) further authorizes the Liquidator to fix, with the Court’s approval, the reasonable compensation of any employees and agents, legal counsel, actuaries, accountants, court’s appraisers, and consultants that he employs; and

WHEREAS, MCL 500.8121(1)(f) authorizes the Liquidator “[t]o collect all debts and money due and claims belonging to” American Fellowship.

WHEREAS, the Liquidator and Special Deputy Liquidator have decided to retain two law firms, Rich & Campbell, P.C. and Roosen Varchetti & Olivier, PLLC, to pursue the collection of a judgment entered in favor of American Fellowship and

¹ Pursuant to Executive Order No. 2013-1 effective March 18, 2013, the Michigan Office of Financial and Insurance Regulation (“OFIR”) was renamed the Michigan Department of Insurance and Financial Services (“DIFS”) and all the authority, powers, duties, functions, and responsibilities of the former Commissioner of OFIR were transferred to the newly-created position of the Director of DIFS.

against judgment debtors Care Torrice and Michael Torrice in Macomb County Circuit Court Case No. 06-5409-CK (the “Macomb Lawsuit”); and

WHEREAS, the Liquidator and Special Deputy Liquidator have determined that the employment of Rich & Campbell, P.C. and Roosen Varchetti & Olivier, PLLC as judgment collection legal counsel is both necessary and appropriate for the effective and efficient administration of this liquidation proceeding and will assist in providing the maximum protection to creditors, policyholders, and the public;

NOW, THEREFORE, IT IS HEREBY ORDERED that the Court **APPROVES** the compensation to be paid to Rich & Campbell, P.C. and Roosen Varchetti & Olivier, PLLC, as fixed by the Liquidator pursuant to the terms set forth in the Ex Parte Petition and the Contingent Fee Agreements attached thereto, in connection with their employment as judgment collection legal counsel.

IT IS FURTHER ORDERED that due to the difficulty and prohibitive cost associated with providing personalized notice of the Ex Parte Petition and this Order to all parties with an interest in this matter, the Court authorizes, approves, and/or ratifies the Liquidator’s service of the Ex Parte Petition and this Order by posting electronic copies on the DIFS website, www.michigan.gov/difs, under the section “Who We Regulate” and the subsection “American Fellowship Mutual.” The Court finds that service in this manner is reasonably calculated to give interested parties actual notice of these proceedings and is otherwise reasonable under the circumstances.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "W E Collette", written over a horizontal line.

Honorable William E. Collette
Circuit Court Judge