

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]

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**EX PARTE ORDER APPROVING JANICE SYLVERTOOTH'S
COMPENSATION AS MANAGEMENT CONSULTANT**

At a session of said Court
held in the Circuit Courtrooms
for the County of Ingham,
State of Michigan, on the
6th 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 Janice Sylvertooth’s Compensation as Management Consultant (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, the Liquidator and Special Deputy Liquidator have decided to employ Janice Sylvertooth as an independent contractor consultant to provide management assistance and related services in the ongoing liquidation of American Fellowship.

WHEREAS, the Liquidator and Special Deputy Liquidator have determined that the employment of Janice Sylvertooth as an independent contractor

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.

management consultant 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 Janice Sylvertooth, as fixed by the Liquidator pursuant to the terms set forth in the Ex Parte Petition and the Retainer Agreement attached thereto, in connection with her employment as an independent contractor management consultant.

IT IS FURTHER ORDERED that the Court retroactively approves the payment of any compensation earned by Ms. Sylvertooth for services provided and/or expenses incurred prior to the date of this Order.

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.



Honorable William E. Collette, Circuit Court Judge