

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

KEN ROSS, COMMISSIONER OF THE OFFICE  
OF FINANCIAL AND INSURANCE  
REGULATION,

Petitioner,

No. 10-397-CR

v

HON. WILLIAM E. COLLETTE

AMERICAN COMMUNITY MUTUAL  
INSURANCE COMPANY,

Respondent.

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Attorneys for Petitioner  
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FILED  
CLERK OF THE 30th  
JUDICIAL CIRCUIT COURT  
INGHAM COUNTY, MICHIGAN

2011 FEB 22 P 2:11

FILED

**EX PARTE ORDER APPROVING SETTLEMENT OF  
ONE PENDING LAWSUIT AND ONE PENDING CLAIM  
AGAINST AMERICAN COMMUNITY**

At a session of said Court  
held in the Circuit Courtrooms  
for the County of Ingham,  
State of Michigan, on the  
22<sup>nd</sup> day of February, 2011.

PRESENT: HONORABLE WILLIAM E. COLLETTE, CIRCUIT COURT JUDGE

**WHEREAS**, Ken Ross, the Commissioner of the Michigan Office of Financial and  
Insurance Regulation and duly appointed Rehabilitator of American Community Mutual

Insurance Company (the "Rehabilitator"), has filed an Ex Parte Petition for Approval to Settle One Pending Lawsuit and One Pending Claim against American Community (the "Ex Parte Petition"), specifically, the matters entitled: (1) *Andy & Dana Jones v. American Community & Roger Overby*; and (2) *In the matter of Barbara Veneklasen v. American Community*; and

**WHEREAS**, MCL 500.8115(1) governs legal actions or proceedings involving American Community that were pending when the Rehabilitation Order was entered and provides, *inter alia*, that "[t]he rehabilitator shall take action respecting the pending litigation as he or she considers necessary in the interests of justice and for the protection of creditors, policyholders, and the public"; and

**WHEREAS**, the Rehabilitator has determined that the settlement of these matters in the amounts set forth in the Ex Parte Petition and on the terms contained in their respective settlement agreements is necessary and appropriate, is in the interests of justice, and will promote the protection of American Community's creditors, policyholders, and the public;

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the Court APPROVES the proposed settlements reached in the two matters described above and in the Ex Parte Petition, authorizes payment of the respective settlement amounts from the funds of American Community, and authorizes the Rehabilitator and/or Special Deputy Rehabilitators to execute any necessary documentation and take such other action required to finalize these settlements.

**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 Rehabilitator's service of the Ex Parte Petition and this Order by posting electronic copies on the OFIR website, [www.michigan.gov/ofir](http://www.michigan.gov/ofir), under the section "Who We Regulate" and the subsection "American

Community." 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