

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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**ORDER APPROVING REHABILITATOR'S PLAN  
TO ENTER INTO A TRANSITION PLAN AGREEMENT  
WITH UNITEDHEALTHCARE INSURANCE COMPANY  
RELATIVE TO AMERICAN COMMUNITY MUTUAL INSURANCE COMPANY'S  
SMALL GROUP HEALTH INSURANCE POLICIES**

At a session of said Court held in the  
Circuit Courtrooms for the  
County of Ingham, State of Michigan  
on the 14<sup>th</sup> day of July, 2010

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 a Petition for Approval of the Rehabilitator's Plan to Enter into a Transition Plan Agreement with UnitedHealthCare Insurance Company Relative to American Community Mutual Insurance Company's Small Group Health Insurance Policies (the "Petition"); and

**WHEREAS**, the Rehabilitator has served the Petition, together with the attached Exhibits (which included a copy of this proposed Order) and a Notice of Hearing: (a) via e-mail and regular mail on American Community's two surplus note holders and their trustee; and (b) on other potentially interested parties (beyond the two surplus note holders and their trustee) by posting electronic copies on the "American Community" section of OFIR's website; and

**WHEREAS**, MCL 500.8114(4) authorizes the Rehabilitator, upon making a determination that reorganization, consolidation, conversion, reinsurance, merger, or other transformation of American Community is appropriate, to prepare a plan to effect such changes and to apply for this Court's approval of the plan; and

**WHEREAS**, the Rehabilitator has determined that entering into a Transition Plan Agreement with UnitedHealthCare Insurance Company ("United") relative to all American Community Small Group policyholders is necessary and appropriate for the effective and efficient administration of this rehabilitation proceeding and will assist in providing the maximum protection to American Community's creditors, policyholders, and the public; and

**WHEREAS**, the Rehabilitator has determined that consistent with the Rehabilitation Order, the Transition Plan Agreement with United will also maintain, to the greatest extent possible, a continuity of health care services for American Community's Small Group policyholders; and

**WHEREAS**, the Court having reviewed the Petition and any objections or responses filed thereto, having heard oral arguments on July 14, 2010 at 10:00 a.m., and being otherwise fully advised;

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the Court APPROVES the Rehabilitator's plan to enter into the Transition Plan Agreement with United in the form attached as Exhibit A to the Petition;

**IT IS FURTHER ORDERED** that the Court authorizes, approves, and/or ratifies the Rehabilitator's service of the Petition, together with the attached Exhibits, the Notice of Hearing, and this Order via e-mail and regular mail on American Community's two surplus note holders and their trustee only;

**IT IS FURTHER ORDERED** that due to the difficulty and prohibitive cost associated with providing personalized notice of the Petition, Notice of Hearing, and this Order to all other parties having a general interest in the American Community rehabilitation, the Court authorizes, approves, and/or ratifies the Rehabilitator's service of these papers on other potentially interested parties (beyond the two surplus note holders and their trustee) 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 these other potentially interested parties actual notice of these proceedings and is otherwise reasonable under the circumstances.

**IT IS SO ORDERED.**

**WILLIAM E. COLLETTE**

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Circuit Court Judge