

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



P.O. Box 30736
LANSING, MICHIGAN 48909

DANA NESSEL
ATTORNEY GENERAL

December 30, 2019

Hand Delivery

Clerk of the Court
Ingham County Circuit Court
Veterans Memorial Courthouse
313 W. Kalamazoo St.
Lansing, MI 48901

Re: *Patrick McPharlin, Director of the Department of Insurance and
Financial Services v Consumers Mutual Insurance of Michigan*
Case No. 15-948-CR; Honorable James S. Jamo

Dear Clerk of the Court:

Enclosed for submission, please find the Petition for Order Approving Prepaid Forward Purchase Agreement with RC Opportunities Fund LP and Authorizing Distribution of Sale Proceeds together with Exhibits A and B, Notice of Hearing, and respective Proof of Service in relation to the above-referenced matter.

Also enclosed is our Department's check in the amount of twenty dollars (\$20) to cover the requisite filing fee.

As always, thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Christopher L. Kerr".

Christopher L. Kerr (P57131)
Assistant Attorney General
Corporate Oversight Division
(517) 373-1160

CLK/cms
Enclosures

Cc w/ enclosures: Hon. James S. Jamo
John C. Colpean
Jay Williamson
Terrance A. Mebane
Scott Lessne / Charles Baek

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

PATRICK MCPHARLIN, DIRECTOR
OF THE DEPARTMENT OF INSURANCE
AND FINANCIAL SERVICES,

Petitioner,

v

CONSUMERS MUTUAL INSURANCE
OF MICHIGAN,

Respondent.

Case No. 15-948-CR

HON. JAMES S. JAMO

[IN LIQUIDATION]

James E. Long (P53251)
Christopher L. Kerr (P57131)
Aaron W. Levin (P81310)
Assistant Attorneys General
Attorneys for Petitioner
Corporate Oversight Division
P. O. Box 30736
Lansing, MI 48909
(517) 335-7632

NOTICE OF HEARING

To: Clerk of the Court
Michigan Life and Health Insurance Guaranty Association
Centers for Medicare and Medicaid Services (including its U.S. Department
of Justice counsel)
RC Opportunities Fund LP
Other Interested Parties

PLEASE TAKE NOTICE that the Petition for Order Approving Prepaid
Forward Purchase Agreement with RC Opportunities Fund LP and Authorizing
Distribution of Sale Proceeds, which was filed by Anita G. Fox, Director of the

Michigan Department of Insurance and Financial Services, in her capacity as the statutory and Court-appointed Liquidator of Consumers Mutual Insurance of Michigan, will be heard by the Honorable James S. Jamo in the Veterans Memorial Courthouse, 313 W. Kalamazoo Street, Lansing, Michigan 48933 on **Wednesday, January 15, 2020 at 3:15 p.m.**

Respectfully submitted,

Dana Nessel
Attorney General

A handwritten signature in blue ink that reads "Christopher Kerr". The signature is written in a cursive style with a large initial "C" and "K".

James E. Long (P53251)
Christopher L. Kerr (P57131)
Aaron W. Levin (P81310)
Assistant Attorneys General
Attorneys for Petitioner
Corporate Oversight Division
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Lansing, MI 48909
(517) 335-7632

Dated: December 30, 2019

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PROOF OF SERVICE

The undersigned certifies that a copy of the **Petition for Order Approving Prepaid Forward Purchase Agreement with RC Opportunities Fund LP and Authorizing Distribution of Sale Proceeds, Exhibits A and B thereto, and the Notice of Hearing**, together with this **Proof of Service**, was served upon the parties listed below by mailing the same to them at their respective addresses with first class postage fully prepaid thereon, on the 30th day of December, 2019:

Michigan Life & Health Insurance Guaranty Association:
John C. Colpean, Administrator and General Counsel
Michigan Life & Health Insurance Guaranty Association
1640 Haslett Road, Suite 160
Haslett, MI 48840

Centers for Medicare and Medicaid Services:

Jay Williamson
Centers for Medicare & Medicaid Services (CMS)
Center for Consumer Information and Insurance Oversight (CCIIO)
Insurance Programs Group (IPG)
2810 Lord Baltimore Drive
Windsor Mill, MD 21244


-and-

Terrance A. Mebane, Trial Attorney
U.S. Department of Justice
Civil Division, Commercial Litigation Branch
1100 L Street NW, Room 10004
Washington, DC 20005

RC Opportunities Fund LP

Scott Lessne, Esq.
Charles Baek, Esq.
Crowell & Moring LLP
1001 Pennsylvania Avenue, NW
Washington, DC 20004

In addition, electronic copies of the foregoing documents (excluding the exhibits to the Agreement attached as Exhibit B to the Petition) will be provided to the Department of Insurance and Financial Services, which will provide courtesy notice to other potentially interested individuals and entities by posting the documents on its website, www.michigan.gov/difs, under the section "Who We Regulate," the subsection "Receiverships," and the sub-subsection "Consumers Mutual Ins. of Michigan."


Carrie Scepka, Legal Secretary