

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

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

Petitioner,

Case No. 15-948-CR

v

HON. JAMES S. JAMO

CONSUMERS MUTUAL INSURANCE
OF MICHIGAN,

[IN LIQUIDATION]

Respondent.

Christopher L. Kerr (P57131)
James E. Long (P53251)
Assistant Attorneys General
Attorneys for Petitioner
Corporate Oversight Division
P. O. Box 30755
Lansing, MI 48909
(517) 373-1160

**EX PARTE ORDER APPROVING PLANTE & MORAN'S
PROFESSIONAL SERVICES AGREEMENT FOR CONSULTING SERVICES**

At a session of said Court
Held in the Circuit Courtrooms
For the County of Ingham,
State of Michigan, on the
18 day of March, 2019.

PRESENT: HONRABLE JAMES S. JAMO, CIRCUIT COURT JUDGE

WHEREAS, James Gerber, as duly appointed Special Deputy Liquidator (the
"Special Deputy Liquidator") of Consumers Mutual Insurance of Michigan

(Consumers Mutual”), has filed an *Ex Parte* Petition for Approval of Plante & Moran Professional Services Agreement for Consulting Services (the “*Ex Parte* Petition”); and

WHEREAS, the *Ex Parte* Petition seeks the Court’s approval of compensation to be paid to Plante & Moran, PLLC (“Plante & Moran”) to provide consulting services, including but not limited to expert testimony in depositions, arbitration, facilitated mediation, or trial, if necessary, related to the disputed claim that KBA overcharged Consumers Mutual for KBA’s processing of certain out-of-network claims and preferred provider network claims; and

WHEREAS, MCL 500.8121(1)(b) and (c) authorize the Liquidator to employ accountants and other personnel as he considers necessary to assist in the Consumers Mutual liquidation proceeding, and to fix the reasonable compensation to be paid to such accountants and other personnel with the Court’s approval; and

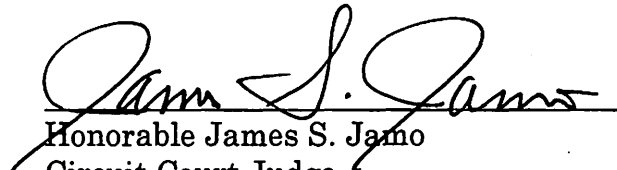
WHEREAS, the Liquidator has determined that consultation and potential expert testimony is necessary and appropriate for the effective and efficient administration of this liquidation proceeding and will assist in providing maximum protection to creditors, policyholders, and the public; and

WHEREAS, the Liquidator has selected Plante & Moran to provide the consultation and expert testimony services, to be compensated as set forth in Attachment A of the Petition for Approval of Plante & Moran Professional Services Agreement for Consulting Services, and has determined that Plante & Moran’s fee arrangement is competitive, reasonable, and appropriate under the circumstances;

NOW THEREFORE, IT IS HEREBY ORDERED that the Court APPROVES Plante & Moran's compensation fixed by the Liquidator to provide consulting and expert testimony related to the disputed claim that KBA overcharged Consumers Mutual for KBA's processing of certain out-of-network claims and preferred provider network claims in the amount set forth in Exhibit A of the Petition for Approval of Plante & Moran Professional Services Agreement for Consulting Services.

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 any individuals or entities that may have a general interest in Consumer Mutual's liquidation, 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," the subsection "Receiverships," and the sub-subsection "Consumers Mutual Ins. of Michigan." Service in this manner is reasonably calculated to give any potentially interested individuals or entities actual notice of these proceedings and is otherwise reasonable under the circumstance.

IT IS SO ORDERED.


Honorable James S. Jamo
Circuit Court Judge