

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



BILL SCHUETTE
ATTORNEY GENERAL

P.O. Box 30755
LANSING, MICHIGAN 48909

March 21, 2012

Clerk of the Court
Ingham County Circuit Court
Mason Courthouse
341 S. Jefferson
Mason, MI 48854

Via U.S. First Class Mail

**Re: Ken Ross, Commissioner of the Office of Financial and Insurance Regulation v
American Community Mutual Insurance Company
Case No. 10-397-CR**

Dear Clerk of the Court:

Enclosed for filing in the above-referenced case is the Proof of Service of the **Order Approving the Rehabilitator's Plan to Sell Real Property Owned by American Community Mutual Insurance Company**, which was entered by the Court on March 21, 2012.

Sincerely,

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

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

Enc

c

Vik Ghei and Misha Zaitzeff, HoldCo Advisors, LP
Carolyn R. Thagard, Trapeza Capital Management, LLC
Mudassir Mohamed, The Bank of New York Mellon Trust Company, N.A.

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. COLLETE

AMERICAN COMMUNITY MUTUAL
INSURANCE COMPANY,

Respondent.

PROOF OF SERVICE

The undersigned certifies that a copy of the **Order Approving the Rehabilitator's Plan to Sell Real Property Owned by American Community Mutual Insurance Company**, 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 21st day of March, 2012:

Vik Ghei
Misha Zaitzeff
HoldCo Advisors, LP
32 Broadway, Suite 1112
New York, NY 10004

Carolyn R. Thagard, CFA
Trapeza Capital Management, LLC
15 Alden Lane
Birmingham, AL 35213

Mudassir Mohamed
The Bank of New York Mellon Trust Company, N. A.
GLOBAL TRUST - HOUSTON ABS
601 Travis Street, 16th Floor
Houston, Texas 77002

And on all other parties in interest by posting electronic copies on the OFIR website, www.michigan.gov/ofir, under the section "Who We Regulate" and the subsection "American Community."


Linda S. Miers, Legal Secretary

STATE OF MICHIGAN
CIRCUIT COURT FOR THE 30TH JUDICIAL CIRCUIT
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KEN ROSS, COMMISSIONER OF THE OFFICE
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REGULATION,

Petitioner,

No. 10-397-CR

v

HON. WILLIAM E. COLLETTE

AMERICAN COMMUNITY MUTUAL
INSURANCE COMPANY,

Respondent.

Christopher L. Kerr (P57131)
Jason R. Evans (P61567)
Assistant Attorneys General
Attorneys for Petitioner
Corporate Oversight Division
P. O. Box 30755
Lansing, MI 48909
(517) 373-1160

MIKE BRYANTON
CLERK OF THE 30TH
JUDICIAL CIRCUIT COURT
INGHAM COUNTY CLERK

2012 MAR 21 A 11:24

FILED

**ORDER APPROVING THE REHABILITATOR'S PLAN TO
SELL REAL PROPERTY OWNED BY
AMERICAN COMMUNITY MUTUAL INSURANCE COMPANY**

At a session of said Court held in the
Circuit Courtrooms for the
County of Ingham, State of Michigan
on the 21st day of March, 2012

PRESENT: HONORABLE WILLIAM E. COLLETTE, CIRCUIT COURT JUDGE

WHEREAS, R. Kevin Clinton, 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 Sell Real Property Owned by American Community Mutual Insurance Company (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 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 Purchase Agreement with Gary Tadian (on behalf of a to-be-formed entity) for the sale of the real property, including the land and building, owned by American Community located at 39201 Seven Mile Road, Livonia, Michigan (the "Property") 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

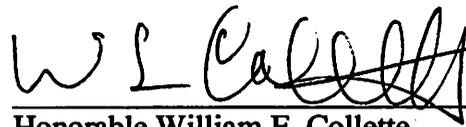
WHEREAS, the Court having reviewed the Petition and any objections or responses filed thereto, having heard oral arguments on March 21, 2012 at 11:00 a.m., and being otherwise fully advised;

NOW, THEREFORE, IT IS HEREBY ORDERED that the Court APPROVES the Rehabilitator's plan to sell the Property to Gary Tadian, according to the terms contained in the executed Purchase and Sale Agreement 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 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, 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.

A handwritten signature in black ink, appearing to read "W E Collette", with a long horizontal line extending to the right from the end of the signature.

Honorable William E. Collette
Circuit Court Judge