

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

Michael Wise, as Acting Director of the
South Carolina Department of Insurance,

C.A. No. 2016-CP-40-00034

Petitioner,

**ORDER APPROVING LIQUIDATOR'S
FIFTH CLAIMS REPORT &
RECOMMENDATION & PROPOSAL
FOR PAYMENT OF THIRD INTERIM
DISTRIBUTION**

vs.

Consumers' Choice Health Insurance
Company,

Respondent.

This matter comes before the Court pursuant to the Liquidator's Fifth Claims Report & Recommendation & Proposal for Payment of Third Interim Distribution & Application for Order Approving Same (the "Application") in accordance with S.C. Code Ann. § 38-27-620 (2015) and S.C. Code Ann. § 38-27-10 (2015).

Attached as Exhibits A and B to the Application are schedules containing the names and addresses of all claimants, the corresponding Proof of Claim ("POC") number, recommended valuations for each claim, the priority class, and the proposed distribution. Attached as Exhibit C to the Application is a schedule containing the names and addresses of claimants whose claims were previously approved by this Court by Order entered August 13, 2021, the POC number, the Court's allowed amount, the proposed distribution and the priority class of each claim. Also attached as Exhibit D is the Affidavit of the Special Deputy Liquidator filed in support of the Application.

It appears that the recommendations are in the interests of all creditors in this matter and that the distribution as proposed is appropriate under S.C. Code Ann. § 38-27-630 (2015) in that

it assures the proper recognition of priority classes, as well as a reasonable balance between the expeditious completion of the liquidation and the protection of other claimants.

IT IS THEREFORE ORDERED that pursuant to S.C. Code Ann. §§ 38-27-10 *et seq.*, the Fifth Claims Report and Recommendation is APPROVED.

IT IS FURTHER ORDERED that pursuant to S.C. Code Ann. § 38-27-620, the payment of Third Interim Distributions is APPROVED.

IT IS FURTHER ORDERED that if any additional factors hereafter come to the attention of the Liquidator or his Special Deputy that may require modification, the Liquidator shall promptly file an application to modify these claims.

AND IT IS SO ORDERED.

Jocelyn Newman
Chief Administrative Judge
Fifth Judicial Circuit

May __, 2022
Columbia, South Carolina



Richland Common Pleas

Case Caption: Raymond G Farmer , plaintiff, et al vs Consumers Choice Health Insurance Company

Case Number: 2016CP4000034

Type: Order/Other

IT IS SO ORDERED.

Jocelyn Newman, Chief Judge for Administrative Purposes, Court of Common Pleas, 5th Judicial Circuit

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

Michael Wise, as Acting Director of the
South Carolina Department of Insurance,

Petitioner,

vs.

Consumers' Choice Health Insurance
Company,

Respondent.

C.A. No. 2016-CP-40-00034

**LIQUIDATOR'S FIFTH CLAIMS
REPORT & RECOMMENDATION &
PROPOSAL FOR PAYMENT OF
THIRD INTERIM DISTRIBUTION &
APPLICATION FOR ORDER
APPROVING SAME**

Comes now Petitioner Raymond G. Farmer, as Liquidator of the above-captioned insurance company ("Consumers' Choice"), by and through the undersigned counsel, and files herewith his Fifth Claims Report and Recommendation, and applies to the Court for an Order (1) approving the Liquidator's undisputed claims determinations specified herein and (2) authorizing the Liquidator to pay a third interim distribution to certain approved claimants.

This application is made pursuant to the South Carolina Insurers Rehabilitation and Liquidation Act, S.C. Code Ann. §§ 38-27-10 *et seq.*, specifically, S.C. Code Ann. § 38-27-620(a) (2015), wherein the Liquidator is required to review all claims duly filed in the liquidation proceedings, make such further investigation as he deems necessary and submit a claims report to the Court containing his claim recommendations, and S.C. Code Ann. § 38-27-630 (2015), which allows the Liquidator to pay distributions under the direction of the Court in a manner that will assure the proper recognition of priorities and a reasonable balance between the expeditious completion of the liquidation and the protection of unliquidated and undetermined claims.

In support of his report, recommendation and application, the Liquidator respectfully shows the following:

1. Between the entry of the Order of Liquidation on March 28, 2016, and December 31, 2016, the Claims Bar Date, the Liquidator issued eighty-seven thousand, seven-hundred thirty-six (87,736) Notices of Liquidation and Proof of Claim (POC) forms, with instructions to members, general creditors and other potential claimants and/or creditors of Consumers' Choice.
2. On April 25, 2016, notice of the liquidation was published in the Post & Courier, Greenville News, The State, The Sun and The Island Packet, all being newspapers of general circulation in Charleston, Greenville, Columbia, Myrtle Beach and Beaufort/Bluffton, informing interested parties of the liquidation proceedings and including contact information and instructions for the timely filing of a claim.
3. Total timely-filed POCs amount to six-hundred twenty-one (621). Late-filed POCs total fifty-six (56).
4. One-hundred fifty-four (154) claims were approved by this Court by Order entered July 24, 2017.
5. Six (6) claims resolved by the Special Referee were approved by this Court with Orders entered on February 12, 2019, June 4, 2019, June 6, 2019, October 15, 2019, and February 11, 2020.
6. Four hundred twenty-five (425) claims were approved by this Court by Order entered on July 2, 2020.
7. Fifteen (15) claims were approved by this Court by Order entered June 17, 2021.
8. Thirty-seven (37) claims were approved by this Court on August 13, 2021.

9. Thirty-four (34) claims have now been adjudicated. There are only six (6) remaining POCs pending adjudication. Five (5) claims are pending dispute resolutions, and one (1) claim is pending final expenses on behalf of the South Carolina Life and Accident and Health Insurance Guaranty Association.

10. Virtually all assets have now been marshalled and the Special Deputy Liquidator has determined that there are sufficient assets to pay in full all classes of claims, Class 1 through Class 8.

11. By Orders dated November 10, 2020 and June 17, 2021, the Court has approved two previous interim distributions of assets of the liquidation estate to claimants with claims in priority classes 1, 2 (subrogated), 6 and 8.

12. The Special Deputy Liquidator has concluded that no policyholder or creditor would be prejudiced by an interim 100% distribution to approved POC claimants in Classes 2 through 8 as defined by S.C. Code Ann. § 38-27-610(6) & (8) (2015).

13. Therefore, attached hereto as Exhibit A and incorporated herein is a Schedule listing the names and addresses of thirty-two (32) claimants holding a class 8 claim as defined by S.C. Code Ann. § 38-27-610(8) (2015), the POC number, the Liquidator's valuation of the claim, the class code, and the proposed 100% distribution.

14. Attached hereto as Exhibit B and incorporated herein is a Schedule listing the names and addresses of two (2) claimants holding a class 2 claim as defined by S.C. Code Ann. § 38-27-610(2) (2015), the POC number, the Liquidator's valuation of the claim, the class code, and the proposed 100% distribution.

15. Attached hereto as Exhibit C and incorporated herein is a Schedule listing the names and addresses thirty-two (32) claimants whose claims were previously approved by this

Court by Order entered August 13, 2021¹, referenced above in paragraph 8, the priority class as defined by S.C. Code Ann. § 38-27-610 (2015), the POC number, the Court allowed amount, and the proposed 100% distribution.

16. In further support of this application, attached as Exhibit D, is the affidavit of Michael J. FitzGibbons, Special Deputy Liquidator.

WHEREFORE, the Liquidator prays the Court issue an Order Approving this Fifth Claims Report and claims recommendations, and authorizing distributions as proposed.

Respectfully submitted,

May 26, 2022

s/ Geoffrey R. Bonham
Associate General Counsel
South Carolina Department of Insurance
P.O. Box 100105
Columbia, South Carolina 29202

Capitol Center
1201 Main Street, Suite 1000
Columbia, South Carolina 29201

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One of the Attorneys for the Liquidator of
Consumers' Choice Health Insurance
Company, in Liquidation

¹ Four (4) claims per paragraph 8 were denied in whole and will not receive a distribution. The other claim is a Class 9 claim, which will receive a partial distribution at a later date.

Consumers' Choice Health Insurance Company in Liquidation
Fifth Claims Report
Exhibit A

POC No.	Claimant Name	Address 1	Address 2	City	State	Zip	CLASS	Claim Amount	Liquidator's Recommended Amount	Proposed Distribution
2852100001	B.V.	625 Heathercrest Ct		Simpsonville	SC	29681	8	2,952.00	948.07	948.07
2882100001	T.H.	156 Sharon Lake Ct		Lexington	SC	29072	8	6,586.77	4,650.46	4,650.46
2742100002	T.V.	419 Boone Trl		Myrtle Beach	SC	29588	8	3,725.00	3,624.12	3,624.12
2742100001	W.M.B. Jr. Inc.	PO Box 1339		Holly Hill	SC	29059	8	1,789.60	1,789.71	1,789.71
2712100001	H.F.G. Inc	880 S Pleasantburg Dr.	Ste. 2C	Greenville	SC	29607	8	2,922.00	2,923.00	2,923.00
2632100002	J.A.D.	4741 Hwy 165		Meggett	SC	29449	8	1,579.24	1,502.04	1,502.04
2632100001	B.B.I. & F.S. LLC	450-A Bypass 123		Seneca	SC	29678	8	2,483.00	2,483.93	2,483.93
2562100002	U.I. LLC	108 Keepers Ct		Chapin	SC	29036	8	919.00	919.64	919.64
2562100001	U.P.G., LLC	1439 Stuart Engals Blvd.	Suite 300	Mt. Pleasant	SC	29464	8	20,250.58	11,766.38	11,766.38
2512100002	O.A./E.R.	1110 Lighthouse Blvd		Charleston	SC	29412	8	1,275.00	1,276.11	1,276.11
2512100001	S.P.B., LLC	4808 Village Drive		Dunwoody	GA	30338	8	3,000.00	891.92	891.92
2322100001	L.S.	3153 Stanyarne Dr		Charleston	SC	29414	8	4,983.00	4,984.70	4,984.70
2452100002	E.A.N.A. Inc.	411 Cressfell Rd		Irmo	SC	29063	8	Unstated	3,800.91	3,800.91
2502100003	S.I., Inc. DBA S.I.B.	454 Commonwealth Rd		Mt. Pleasant	SC	29466	8	4,623.70	3,989.86	3,989.86
2502100002	H., B.B.I.	8 Glenview Park Place		Travelers Rest	SC	29690	8	UNSTATED	761.17	761.17
2502100001	J.E.L./S.B., Inc.	250 South Pleasantburg Dr.		Greenville	SC	29607	8	4,917.04	3,926.61	3,926.61
2462100001	R.F.	1184 Farm Quarter Rd.		Mt. Pleasant	SC	29464	8	41,337.80	5,898.07	5,898.07
2452100001	H.S.L.	112 Shelter Cove Dr.		Senecal	SC	29672	8	12,152.10	9,758.30	9,758.30
2422100003	J.F.	268 S. Main St.		Ridgeville	SC	29472	8	611.38	730.76	730.76
2422100002	J.D.W.	130 River Landing Dr.	Unit 1D	Charleston	SC	29492	8	3,600.00	2,867.44	2,867.44
2422100001	S. and Associates, Inc.	340 S. Pine St.		Spartanburg	SC	29302	8	726.33	901.80	901.80
2392100002	D.M.G.I.A.	15 Gamecock Ave		Charleston	SC	29407	8	30,356.31	39,234.85	39,234.85
2402100001	S.J.	5722 Hickory Plz	SteA4	Nashville	TN	37211	8	UNSTATED	3,098.50	3,098.50
2392100001	D.A.G.	PO Box 26985		Greenville	SC	29616	8	1,254.00	1,255.32	1,255.32
2352100007	The I.S.	300 John St	Bldg 4A	Greer	SC	29651	8	12,669.35	7,838.07	7,838.07
2352100006	A.B.S.	116 Heights Ave		Lexington	SC	29072	8	13,020.00	6,037.86	6,037.86
2352100005	J.B.	102 E Gustave Ct		Summerville	SC	29486	8	5,378.00	5,378.25	5,378.25
2352100004	W.I.A. LLC	700 S. Cashua Dr.	18C	Florence	SC	29501	8	12,165.38	12,462.94	12,462.94
2352100003	C.B.G. Inc	2 Village Green Rd.	Suite A1	Hampstead	NH	3841	8	7,817.00	7,817.83	7,817.83
2352100002	K.I.A. of B.	910 Carteret St.		Beaufort	SC	29902	8	25,878.00	25,878.95	25,878.95
2352100001	I.A.	PO Box 11452		Columbia	SC	29211	8	16,656.38	13,780.14	13,780.14
2362100001	A.E.I.A., LLC	3525 Iron Horse Drive	Suite 102	Ladson	SC	29456	8	47,865.00	47,865.87	47,865.87
Total								293,492.96	241,043.58	241,043.58

Consumers' Choice Health Insurance Company in Liquidation
 Fifth Claims Report
 Exhibit B

POC No.	Claimant Name	Address 1	Address 2	City	State	Zip	CLASS	Claim Amount	Liquidator's Recommended Amount	Proposed Distribution
31700019	G.L.	2526 Caney Branch Rd		Leesville	SC	29070	2	2,200,000.00	-	-
3651600107	SC D. of H. and H.S.	PO Box 8206		Columbia	SC	29202	2	6,734.00	1,183.18	1,183.18
Total									1,183.18	1,183.18

Consumers' Choice Health Insurance Company in Liquidation
 Fifth Claims Report
 Exhibit C - approved in 4th claims report

POC No.	Claimant Name	Address 1	Address 2	City	State	Zip	CLASS	Court Allowed Amount	Proposed Distribution
3651600124	H.R.H.	2395 Colonial Drive		Columbia	SC	29203	2	285.99	285.99
3651600123	F.H. PC	PO Box 26809		Greenville	SC	29616	2	207.12	207.12
3651600122	M.U.H.A.	169 Ashley Ave Msc 332		Charleston	SC	29425	2	93,156.43	93,156.43
3651600120	IOD I.	PO Box 19072		Green Bay	WI	54307-907	2	30.80	30.80
	U.M.A. of the Mu.U. of S.C								
3651600119	dba M.P.	171 Ashley Ave		Charleston	SC	29425	2	69.04	69.04
3651600116	P.R.	1519 Marion Street		Columbia	SC	29201	2	293.64	293.64
3651600115	P.R.	5 Richland Medical Park Dr.		Columbia	SC	29203	2	40,177.77	40,177.77
3651600114	P.H.H.C.	PO Box 7275		Columbia	SC	29202	2	1,481.35	1,481.35
3651600113	P.H.	5 Richland Medical Park Dr.		Columbia	SC	29203	2	2,977.48	2,977.48
3651600112	AHP A. of C.	127 Corporate Lane		Columbia	SC	29223	2	167.59	167.59
3651600111	C.A.A. PA	5 Medical Park Dr.		Columbia	SC	29203	2	1,801.00	1,801.00
3651600110	C.P.N. Inc.	2711 Randolph Road, Uite 207		Charlotte	NC	28207	2	896.02	896.02
3651600109	C.H.C. PA	8 Medical Park Dr. Ste. 200		Columbia	SC	29203	2	213.16	213.16
3651600108	S.M. Corp.	1094 Ribaut Rd		Beaufort	SC	29902	2	115,500.00	115,500.00
3651600106	J.M.S.B.C., Inc.	9330 Medical Plaza Dr. FL 1		Charleston	SC	29406	2	1,345.88	1,345.88
3651600105	S.M.I.S. LLC	809 82nd Parkway		Myrtle Beach	SC	29572	2	301.27	301.27
3651600104	H.C.A.B. of P.	140 Professional Park Dr.		Conway	SC	29526	2	415.97	415.97
3651600103	G.S.S.A. LLC	920 Doug White Drive, Suite 210		Myrtle Beach	SC	29572	2	1,590.21	1,590.21
3651600101	D.P.P.	809 82nd Parkway		Myrtle Beach	SC	29573	2	339.10	339.10
3651600100	C.R.A. LLC	300 Singleton Ridge Road		Conway	SC	29526	2	51.75	51.75
3651600099	ACS P.C.P. SE PC	800 W Meeting Street		Lancaster	SC	29720	2	350.11	350.11
3651600035	C.I.-B.H.	c/o Paul Jennings	150 Third Ave. South, Ste. 2800	Nashville	TN	37201	2	183.58	183.58
3651600034	C.I.-B.H.	c/o Paul Jennings	150 Third Ave. South, Ste. 2800	Nashville	TN	37201	2	183.58	183.58
3651600031	T.F.H.	c/o Paul Jennings	150 Third Ave. South, Ste. 2800	Nashville	TN	37201	2	160.30	160.30
3651600027	C.I.-B.H.	c/o Paul Jennings	150 Third Ave. South, Ste. 2800	Nashville	TN	37201	2	274.27	274.27
3651600026	T.F.H.	c/o Paul Jennings	150 Third Ave. South, Ste. 2800	Nashville	TN	37201	2	84.90	84.90
3651600020	C.F.M.	c/o Paul Jennings	150 Third Ave. South, Ste. 2800	Nashville	TN	37201	2	108.23	108.23

Consumers' Choice Health Insurance Company in Liquidation
 Fifth Claims Report
 Exhibit C - approved in 4th claims report

POC No.	Claimant Name	Address 1	Address 2	City	State	Zip	CLASS	Court Allowed Amount	Proposed Distribution
3651600019	G.S.H. & V.S.	c/o Paul Jennings	150 Third Ave. South, Ste. 2800	Nashville	TN	37201	2	38.93	38.93
3651600016	G.S.S.A. dba S.R.S.	c/o Paul Jennings	150 Third Ave. South, Ste. 2800	Nashville	TN	37201	2	204.07	204.07
3651600013	G.S.S.A. dba S.R.S.	c/o Paul Jennings	150 Third Ave. South, Ste. 2800	Nashville	TN	37201	2	430.52	430.52
3651600012	G.S.S. A. dba S.R.S.	c/o Paul Jennings	150 Third Ave. South, Ste. 2800	Nashville	TN	37201	2	430.52	430.52
3651600005	G.S.M.C.	c/o Paul Jennings	150 Third Ave. South, Ste. 2800	Nashville	TN	37201	2	581,507.24	581,507.24
Total								845,257.82	845,257.82

Exhibit D

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

Michael Wise, as Acting Director of the
South Carolina Department of Insurance,

C.A. No. 2016-CP-40-00034

Petitioner,

**AFFIDAVIT OF MICHAEL J.
FITZGIBBONS IN SUPPORT OF
LIQUIDATOR'S FIFTH CLAIMS
REPORT & RECOMMENDATION &
PROPOSAL FOR PAYMENT OF
THIRD INTERIM DISTRIBUTION &
APPLICATION FOR ORDER
APPROVING SAME**

vs.

Consumers' Choice Health Insurance
Company,

Respondent.

Michael J. FitzGibbons, being first duly sworn, deposes and says as follows:

1. I am the Special Deputy Liquidator of Consumers' Choice Health Insurance Company. ("Consumers' Choice"). I was appointed to my position by the Liquidator, Raymond G. Farmer, Director of the South Carolina Department of Insurance.

2. I am over 21 years of age and suffer no legal disability.

3. I submit this affidavit in support of the Liquidator's Fifth Claims Report & Recommendation & Proposal for Payment of Third Interim Distribution & Application for Order Approving Same ("Report, Recommendation, Proposal and Application").

4. By virtue of my appointment as Special Deputy Liquidator, I have been actively and personally involved in the liquidation of Consumers' Choice at all times since it was placed into liquidation, including the matters addressed in this Affidavit. My responsibilities as the Special Deputy Liquidator include supervision and oversight of and direct involvement in the liquidation process. I am familiar with the claims process and with the claims that have been filed. Therefore, I have personal knowledge of the matters addressed in this Affidavit.

5. The claims process has included the following components, all of which has been

followed:

- a. Notice of Consumers' Choice's liquidation was given in accordance with S.C. Code Ann. § 38-27-410(a) (2015).
- b. In accordance with S.C. Code Ann. § 38-27-410(b) (2015), the notice specified that the last date to file a timely Proof of Claim (POC) with the Liquidator was December 31, 2016. Timely proofs of claim were required to have been postmarked no later than 5:00 P.M. Eastern Time, on such date.
- c. The Liquidator's POC forms are in compliance with S.C. Code Ann. § 38-27-550(a) (2015) and provided notice thereof in accordance with S.C. Code Ann. § 38-27-410(b) (2015).
- d. I am administering the POC process. I retained certain of the Company's claim professionals in addition to continuing the engagement of the Company's third party administrator to assist me in the adjudication of claims under the policies. These claim professionals were retained with the responsibility to make recommendations to the Liquidator as to the validity, valuation and priority of each POC. I then, as Special Deputy Liquidator on behalf of the Liquidator, approved or denied recommendations in whole or in part and then submit the same to this Court for approval.
- e. Each and every claim and POC subject to this Claims Report contains the necessary claim file documentation for the Liquidator's recommendation herein.
- f. To the extent this Claims Report includes claims that were denied in whole or in part, notice of such denial complying with S.C. Code Ann. § 38-27-580(a) (2015) was provided to the affected claimants and either no timely objection was made by

the affected claimants, or the objection was resolved by mutual agreement.

- g. Between March 28, 2016, and December 31, 2016, I caused to be issued eighty-seven thousand, seven-hundred thirty-six (87,736) Notices of Liquidation and POC forms, with instructions to policyholders (members), general creditors, and/or other potential claimants and creditors of Consumers' Choice.
- h. On April 25, 2016, I caused to be published Notice of the liquidation in the Post & Courier, Greenville News, The State, The Sun and The Island Packet, all of which are newspapers of general circulation in Charleston, Greenville, Columbia, Myrtle Beach and Beaufort/Bluffton, informing interested parties of the liquidation proceedings and including contact information and instructions for the timely filing of a claim.

6. I have received six-hundred twenty-one (621) timely-filed POCs and fifty-six (56) late-filed POCs.

7. As the Special Deputy Liquidator, I have now considered and valued each of the thirty-two (32) POCs listed in Exhibit A to this Claims Report and two (2) POCs listed in Exhibit B, in accordance with the requirements of the South Carolina Insurers Rehabilitation and Liquidation Act, S.C. Code Ann. §§ 38-27-10 *et seq.* Six (6) POCs are still pending adjudication.

8. Pursuant to S.C. Code Ann. § 38-27-610 (2015), the priority of distribution of claims from the insurer's estate must be in accordance with the order in which each class of claims is set forth in that Code section, and “[e]very claim in each class must be paid in full or adequate funds retained for the payment before the members of the next class receive any payment.”

9. I recovered approximately \$91 million due to Consumers' Choice from CMS for risk corridor payment.

10. Virtually all assets have now been marshalled and I have determined that there are sufficient assets to fully pay all claims in Classes 1 through 8.

11. All classes of claims superior to Class 6 and 8 have been paid or fully reserved for.

12. With the exception of a single priority class 9 claim in the amount of \$69.5 million by the United States Government, no other claims with a priority class subordinate to Class 8 have been made against the liquidation estate.

13. Therefore, I propose to make a third interim distribution in the full amount to Classes 2 and 8 as defined by S.C. Code Ann. § 38-27-610(2) & (8) (2015). Such a distribution would not prejudice the rights of any claimant holding a claim of a superior priority class.

14. Attached to the Report, Recommendation, Proposal and Application and incorporated by reference as Exhibit A is a listing of the names and addresses of thirty-two (32) claimants with class 8 claim as defined in S.C. Code Ann. § 38-27-610(8) (2015), the assigned POC number, the Liquidator's proposed valuation of each POC pursuant to S.C. Code Ann. § 38-27-620 (2015), and the proposed 100% distribution.

15. Attached to the Report, Recommendation, Proposal and Application and incorporated by reference as Exhibit B is a listing of the names and addresses of two (2) claimants with class 2 claim as defined in S.C. Code Ann. § 38-27-610(2) (2015), the assigned POC number, the Liquidator's proposed valuation of each POC pursuant to S.C. Code Ann. § 38-27-620 (2015), and the proposed 100% distribution.

16. Attached to the Report, Recommendation, Proposal and Application and incorporated by reference as Exhibit C is a listing of the names and addresses of thirty-two (32) claimants whose claims were previously approved by this Court by Order entered August 13, 2021, the priority class as defined by S.C. Code Ann. § 38-27-610 (2015), the POC number, the Court

allowed amount, and the proposed 100% distribution.

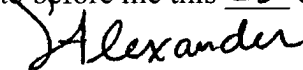
17. To the best of my knowledge and belief, the claims subject to this Report and Application are not subject to modification. If any additional factors hereafter come to my attention which may require any modification, such as third-party payments or releases of any such claims, I will immediately notify the Liquidator, and he and/or I will promptly bring those matters to the attention of this Court.

FURTHER AFFIANT SAYETH NOT.



Michael J. FitzGibbons
Special Deputy Liquidator

SWORN to before me this 25 day of May 2022.



Notary Public for the State of AZ
My commission expires 9/15/22



SARAH E. ALEXANDER
Notary Public - Arizona
Maricopa Co. / #551135
Expires 09/15/2022