

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 2016CP4000034

Raymond G Farmer

Consumers Choice Health Insurance Company

SC Department of Insurance

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: _____

Attorney for : Plaintiff Defendant or Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other _____
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case. Additional Information for the Clerk : _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

Circuit Court Judge _____ Judge Code 2061 Date _____

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this 25 day of July, 2017 to attorneys of record or to parties (when appearing pro se) as follows:

Geoffrey Ross Bonham

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court Jeanette W. Arvide

**STATE OF SOUTH CAROLINA
RICHLAND COUNTY**

**IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT**

Raymond G. Farmer, as Director of the
South Carolina Department of Insurance,

Petitioner,

vs.

Consumers' Choice Health Insurance
Company,

Respondent.

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

**ORDER APPROVING FIRST CLAIMS
REPORT & RECOMMENDATION OF
LIQUIDATOR**

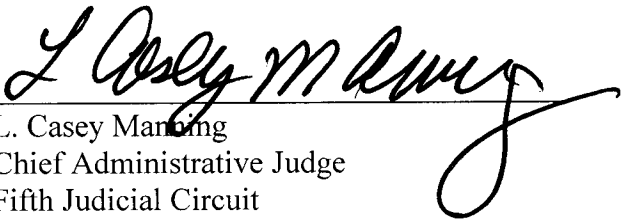
RICHLAND COUNTY
2017 JUN 24 PM 3:57
JULIA A. HARRIS, CLERK

This matter comes before the Court pursuant to the Liquidator's First Claims Report, Recommendation & Application for Order Approving Same ("the Application") filed in accordance with S.C. Code Ann. § 38-27-620 (2015). Attached as exhibits to the Application were a Schedule containing the names and addresses of all claimants and recommended amounts to be paid on each claim, as well as the priority class of each claim, as well as a detailed Affidavit of the Special Deputy Liquidator filed in support of the Application. It appearing that the recommendations are in the interests of all claimants and other creditors in this matter, the Application is hereby approved, with actual distributions to be determined at a later time in accordance with S.C. Code Ann. §§ 38-27-610 & -630 (2015).

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


L. Casey Manning
Chief Administrative Judge
Fifth Judicial Circuit

July 20, 2017
Columbia, South Carolina

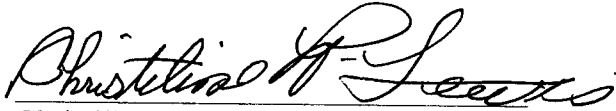
CERTIFICATE OF SERVICE

I hereby certify that one copy each of the foregoing *Liquidator's First Claims Report Recommendation & Application for Order Approving Same and proposed Order* has been served upon the following persons, by First Class U.S. Mail, postage prepaid, and electronic mail, this 19th day of July, 2017, addressed as follows:

Michael M. Beal, Esq.
P.O. Box 11277
Columbia, SC 29211
mbeal@bealLLC.com

Michael J. FitzGibbons
Special Deputy Liquidator
FitzGibbons and Company, Inc.
9821 N. 95th Street, Suite 105
Scottsdale, AZ 85258
mjf@fitzgibbonsco.com

2017 JUL 19 PM 4:39
JEANNETTE W. MORRIS
C.P. & G.S.
RICHLAND COUNTY
FILED


Christiline P. Lewis

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Raymond G. Farmer, as Director of the South
Carolina Department of Insurance,

Petitioner,

vs.

Consumers' Choice Health Insurance
Company,

Respondent.

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

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

**LIQUIDATOR'S FIRST CLAIMS
REPORT, RECOMMENDATION &
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, files herewith his First Claims Report, applies to the Court for an Order approving the Liquidator's undisputed claims determinations specified herein and recommends approval thereof.

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 claims recommendations.

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

1. Between the entry of the Order of Liquidation on March 28, 2016 and December 31, 2016, the latter being the Claims Bar Date, the Liquidator issued approximately 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. On or before the Bar Date of December 31, 2016, the Liquidator received six-hundred sixty-three (663) timely-filed POCs. The Liquidator also received five (5) late-filed POCs.

4. One-hundred fifty-four (154) claims have now been completely adjudicated. All remaining POCs received, totaling five-hundred fourteen (514), are presently under evaluation. Determinations, once concluded, will be forwarded to remaining claimants via first class mail.

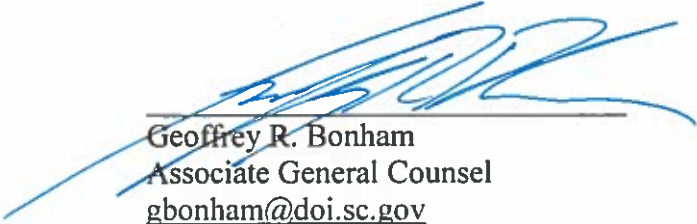
5. Attached hereto as Exhibit A and incorporated herein is a Schedule listing the names and addresses of these one-hundred fifty-four (154) claimants holding a priority class 2 claim as defined by S.C. Code Ann. § 38-27-610(2) (2015), the POC number assigned by the Liquidator and the valuation of the claim proposed by the Liquidator.

6. In further support of this report, recommendation and application, the Liquidator has attached as Exhibit B, the affidavit of Michael J. FitzGibbons, Special Deputy Liquidator.

WHEREFORE, the Liquidator prays the Court issue an Order approving this First Claims Report and claims' recommendations, with the actual distribution to be determined at the appropriate time in accordance with S.C. Code Ann. §§ 38-27-610 & -630 (2015), as well as such other relief as the Court deems just and proper.

Respectfully submitted,

July 19, 2017



Geoffrey R. Bonham
Associate General Counsel
gbonham@doi.sc.gov

South Carolina Department of Insurance
P.O. Box 100105
Columbia, South Carolina 29202
(803) 737-6132

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

EXHIBIT A

Consumers Choice Health Insurance Company
 First Claims Report
 June 2017

POC No.	Claimant Name	Address 1	Address 2	City	State	Zip	Liquidator's Recommended Amount
1301600001	Clara Taylor	311 Shadow Hills Dr		Liberty	SC	29657	-
3401600005	Cathy Talley	2900 Reidville Rd	Apt 504	Spartanburg	SC	29301	-
3401600002	Christine Dawkins-Brewster	266 Old Greenville Hwy		Spartanburg	SC	29301	-
3401600001	Virginia Fields	49205 1st Street #24		Murrells Inlet	SC	29576	-
3341600002	Linda Freeman	2340 Prince Williams Road		Brunson	SC	29911	-
3271600005	Reba Morgan	805 Derbyshire Ct		Conway	SC	29526	-
1301600008	Jenifer Burleson-Canaday	3029 Woodington Place		Goose Creek	SC	29445	-
3271600004	Reba Morgan	805 Derbyshire Ct		Conway	SC	29526	-
3201600002	Helen Ronquest	419 May River Rd		Bluffton	SC	29910	-
3141600003	Katherine Jenkins	1 Woodall Ct		Charleston	SC	29403	-
1311600003	Debra Derebery	8685 Ashton Rd		Lodge	SC	29082	-
1321600001	Fatemeh Pourdehghan	2626 Lani Ct		CHARLESTON	SC	29414	-
3091600004	Stephanie Banks	984 Williston Loop		Murrells Inlet	SC	29576	-
1321600003	Ruby Tucker	205 Lakewood Dr		Union	SC	29379	-
3061600002	An Nguyen	1338 Belle Grove Circle		Hanahan	SC	29410	-
2981600003	Randall Blassingame	150 W Spearman Rd		Westminster	SC	29693	-
2951600001	Pamela Ward	138 Silver Sage Drive	Apt. B	Evanston	WY	82930	-
2941600001	Tammy Staton	224 Oak Hill Dr		Seneca	SC	29678	-
2921600015	Cheryl Mcgee	5 Georgann Ln		Aiken	SC	29803	-
2921600014	Cheryl Mcgee	5 Georgann Ln		Aiken	SC	29803	-
2921600013	Cheryl Mcgee	5 Georgann Ln		Aiken	SC	29803	-
1341600001	Charlena Singleton	4649 Watkins Rd		North Charleston	SC	29418	-
1341600002	Charlena Singleton	4649 Watkins Rd		CHARLESTON	SC	29418	-
2921600012	Cheryl Mcgee	5 Georgann Ln		Aiken	SC	29803	-
2921600011	Cheryl Mcgee	5 Georgann Ln		Aiken	SC	29803	-
2921600004	Brian Giles	3270 Smalls St		North Charleston	SC	29405	-
2921600001	Erwin Hendley	434 Henderson Road		Varnville	SC	29944	-
2851600002	Sandra Mitchell	1207 W. Whittier Circle		Florence	SC	29501	-
2791600002	Penny Mcneil	218 Clark Lane		Summerville	SC	29483	-
2791600001	Deborah Jones	1600 Mcmillian Rd		Brunson	SC	29911	-
2721600003	Jennetta Canteen	8 Merriman Rd	Apt 8c	Georgetown	SC	29440	-

EXHIBIT A

Consumers Choice Health Insurance Company
 First Claims Report
 June 2017

POC No.	Claimant Name	Address 1	Address 2	City	State	Zip	Liquidator's Recommended Amount
2721600001	Nu Nguyen	1415 White Ibis Ct		Hanahan	SC	29410	-
2671600005	Nina Nash	505 Calhoun Rd.		Myrtle Beach	SC	29577	-
1341600013	Darlene Johnson	2195 Greenbrier Mossydale Rd		Winnsboro	SC	29180	-
2631600001	John Sally	839 Sawmill Rd		Murrells Inlet	SC	29576	-
1341600015	Bruce Larson	109 Loblolly Ln		Summerville	SC	29483	-
2591600002	Kelly Jackson	284 Indigo Springs Dr		Columbia	SC	29229	-
2561600003	Robert Duffie	419 Portia Road		Blythewood	SC	29016	-
1341600018	Theresa Byrne	4220 Settler Heights Dr		Fort Mill	SC	29708	-
2561600001	Linda Davis	1804 Gypsy Ct		Surfside Beach	SC	29575	-
2511600002	Andrew Swain	1325 Edward Drive		Moncks Corner	SC	29461	-
2511600001	Tearletha Greene	124 Broughton Ave		Andrews	SC	29510	-
1371600002	Cynthia Dixon	3200 Highway 701 N		Conway	SC	29526	-
2441600001	Carmen Lebron	2226 Ridgewood Ave		Anderson	SC	29625	-
2421600003	Lelia Ferguson	2532 Windy Dr		Columbia	SC	29209	-
2421600002	Barbara Shedrick	300 Sulphur Springs Rd	Apt O-5	Greenville	SC	29617	-
1371600006	Wendy Davis	364 Shore Rush Dr		Pawleys Island	SC	29585	-
2381600008	Jimmy Jeffords	920 W Chesterfield Dr		Florence	SC	29501	-
1371600008	Brittany Sutton	2616 Rogers Dr		Beaufort	SC	29902	-
1371600009	Jane Gebhardt	Po Box 213		Sheldon	SC	29941	-
1371600010	Christie Drummond	204 Beaufort St		Summerville	SC	29483	-
2381600007	Jimmy Jeffords	920 W Chesterfield Dr		Florence	SC	29501	-
1371600012	Fritiqua Wilson	306 Jean Wells Dr		Goose Creek	SC	29445	-
2381600006	Jimmy Jeffords	920 W Chesterfield Dr		Florence	SC	29501	-
2381600005	Jimmy Jeffords	920 W Chesterfield Dr		Florence	SC	29501	-
1371600015	Jerry Johnson	1633 Old Anderson Mill Rd		Moore	SC	29369	-
1371600016	Betty Cureton	181 Old 96 Rd		Newberry	SC	29108	-
2381600004	Jimmy Jeffords	920 W Chesterfield Dr		Florence	SC	29501	-
2381600003	Quardarius Weeks	500 Littlejohn St		Gaffney	SC	29341	-
2351600005	Vincent LeBlanc	c/o Sonny T. Tran, Esq.	1300 South Blvd,	Charlotte	NC	28203	-
2351600004	Margie Grove	975 George St	Ste. K-118	Orangeburg	SC	29115	-

EXHIBIT A

Consumers Choice Health Insurance Company
 First Claims Report
 June 2017

POC No.	Claimant Name	Address 1	Address 2	City	State	Zip	Liquidator's Recommended Amount
2311600001	Elizabeth Blanchard	1336 Newport Ct		Charleston	SC	29492	-
2281600009	Richard Robertson	Po Box 413		White Rock	SC	29177	-
2281600008	Richard Robertson	Po Box 413		White Rock	SC	29177	-
2281600007	Richard Robertson	Po Box 413		White Rock	SC	29177	-
2281600006	Richard Robertson	Po Box 413		White Rock	SC	29177	-
2281600005	Richard Robertson	Po Box 413		White Rock	SC	29177	-
2281600004	Richard Robertson	Po Box 413		White Rock	SC	29177	-
1401600006	Catherine Ersland	126 Majestic Acres Ln		Moncks Corner	SC	29461	-
2281600003	Richard Robertson & Michelle	Po Box 413		White Rock	SC	29177	-
1401600008	Randy Rucker	1028 Hickory Ln		Anderson	SC	29624	-
2281600002	Diann Lyons	Po Box 197		Isle Of Palms	SC	29451	-
2281600001	Carol Piacquadio	3700 Golf Colony Ln	Ste F 7	Little River	SC	29566	-
2221600005	Laura Nay	1828 S 4th St		Hartsville	SC	29550	-
2221600004	Helen Hashim	1700 N Ocean Blvd	Unit 652	Myrtle Beach	SC	29577	-
2151600008	Larocha Carter	1304 Westchase Dr		Charleston	SC	29407	-
1411600004	Jackie Geraci	110 Fireman Ln		Summerville	SC	29486	-
1411600005	Shaneika Moore	201 Miracle Mile Dr	Apt 13f	Anderson	SC	29621	-
2141600001	Patricia Dorsett	601 Timberleaf Ct		Columbia	SC	29212	-
1411600007	Sylvia Bridges	605 Birdsong Rd		Cheraw	SC	29520	-
2111600002	Marion Arbuckle	14 Southern Magnolia Dr		Beaufort	SC	29907	-
1411600009	Helen Jacobs	1708 Winthrop Drive		Florence	SC	29501	-
2091600005	Muyin Chen	100 Pacolet St		Summerville	SC	29485	-
1411600011	Paula Starnes	3209 Lancaster Hwy		Monroe	NC	28112	-
2091600004	Muyin Chen	100 Pacolet St		Summerville	SC	29485	-
2091600003	Muyin Chen	100 Pacolet St		Summerville	SC	29485	-
2091600002	Muyin Chen	100 Pacolet St		Summerville	SC	29485	-
2091600001	Twanna Wilson	332 Brooklyn St		Sumter	SC	29150	-
1441600004	Carrie Brown	349 Genesis Dr		Georgetown	SC	29440	-
2071600005	Herbert Chapman	Po Box 445		Blythewood	SC	29016	-
2031600003	Irene Diaz	3435 Sportsman Dr		Dalzell	SC	29040	-
2001600005	Jennifer Price	32889 Highway 76 E		Kinards	SC	29355	-

EXHIBIT A

Consumers Choice Health Insurance Company
 First Claims Report
 June 2017

POC No.	Claimant Name	Address 1	Address 2	City	State	Zip	Liquidator's Recommended Amount
2001600004	Julia Riggins	12172 Augusta Hwy		Walterboro	SC	29488	-
2001600003	Sonya Springs	2600 S Purvis Dr		Florence	SC	29505	-
1961600004	Edwin Tolbert	957 Davis Bridge Road		Williston	SC	29853	-
1961600003	Joseph Resotko	714 Mcnamara Ln		Columbia	SC	29229	-
1961600001	Dinesh Patel	268 Waterford Pkwy		Orangeburg	SC	29118	-
1941600011	Christi Gardner	2442 Camp Creek		Lancaster	SC	29720	-
1941600005	Tressie Scott	Po Box 381		Kingstree	SC	29556	-
1941600003	William Hudson	P.O. Box 181		Luray	SC	29932	-
1441600016	Julie Shila	c/o John Etheridge, Esq.	Post Office Drawer 6557	Florence	SC	29502	-
1901600005	Dorothy Deas	Po Box 1128		Range	SC	29589	-
1901600002	Barbara Exum	P.O Box 3494		Murrells Inlet	SC	29576	-
1871600010	Derek Grant	Po Box 1632		Hardeeville	SC	29926	-
1871600006	Delia Carmichael	201 S 14th Ave		Dillon	SC	29536	-
1451600002	Thao Thi Tran, Kayla To	2556 Triumph Dr		Myrtle Beach	SC	29577	-
1871600004	Marion Scott	124 Harmon St		Hemingway	SC	29554	-
1871600003	Lorie Reed	415 Willard Rd.		Conway	SC	29526	-
1461600003	Laura Nay	1828 S 4th St		Hartsville	SC	29550	-
1811600006	Mary Gurganus	Po Box 21892		Hilton Head Island	SC	29925	-
1811600004	Mary Gurganus	Po Box 21892		Hilton Head Island	SC	29925	-
1471600002	William Tchir	139 Bradford Dr		Moore	SC	29369	-
1811600003	Mary Gurganus	Po Box 21892		Hilton Head Island	SC	29925	-
1811600002	Mary Gurganus	Po Box 21892		Hilton Head Island	SC	29925	-
1471600005	Cathy Hall	626 Daniella Dr		Myrtle Beach	SC	29579	-
1471600006	Tonya Johnson	108 Tiger Ln		Anderson	SC	29626	-
1481600001	Michael Doan	Po Box 41373		Charleston	SC	29423	-
1481600002	Michael Doan	Po Box 41373		Charleston	SC	29423	-
1811600001	Mary Gurganus	Po Box 21892		Hilton Head Island	SC	29925	-
1801600004	Myrna Ramirez	P.O. Box 2555		Bluffton	SC	29910	-
1801600003	Robert Dipiazza	1203 Perrin Dr		North Myrtle Beach	SC	29582	-
1521600001	Susan Urschel	9678 Seminole Way		Summerville	SC	29485	-

EXHIBIT A

Consumers Choice Health Insurance Company
 First Claims Report
 June 2017

POC No.	Claimant Name	Address 1	Address 2	City	State	Zip	Liquidator's Recommended Amount
1521600002	Susan Urschel	9678 Seminole Way		Summerville	SC	29485	-
1521600003	John Etheridge	1013 Rivershore Rd		Charleston	SC	29492	-
1521600004	Tommi Bradley	324 Palmetto St		Sumter	SC	29150	-
1801600002	Ba Nguyen	308 Adeline Dr		Goose Creek	SC	29445	-
1801600001	Ba Nguyen	308 Adeline Dr		Goose Creek	SC	29445	-
1521600007	Laverne Davis	P.O. Box 494		Anderson	SC	29622	-
1521600008	Myra Salemie	2353 Soling Ct		Charleston	SC	29414	-
1521600009	Robin Coakley	102 Nutty St		Summerville	SC	29483	-
1761600006	Donna Stewart	221 Meadowbrook Ln		Lexington	SC	29072	-
1761600005	Roger Pilgrim	1052 Birchwood Dr		Clover	SC	29710	-
1521600012	Afaf Hanna	517 Six Lakes Dr		Myrtle Beach	SC	29588	-
1761600004	Keisha Lesaine	PO Box 72		Manning	SC	29102	-
1761600003	Roger Pilgrim	1052 Birchwood Dr		Clover	SC	29710	-
1751600002	Walter Chamberlain	110 Cammer Ave		Greenville	SC	29605	-
1741600005	Grady Bethea	17925 Lake Dr	#90-104	Lexington	SC	29072	-
1721600009	Carolyn Millen	68 Wise Street		Ridgeland	SC	29936	-
1541600003	Roland Dudley	504 Amanda Ln		Mc Coll	SC	29570	-
1541600004	Trung Nguyen	167 Frasier Fir Ln		Columbia	SC	29229	-
1721600008	Carolyn Millen	68 Wise Street		Ridgeland	SC	29936	-
1721600007	Carolyn Millen	68 Wise Street		Ridgeland	SC	29936	-
1551600003	Pearl Darby	14 Pate Ct		Georgetown	SC	29440	-
1721600003	Deborah Tapp	2106 N Highway 14		Greer	SC	29651	-
1661600004	Sandra Jones	207 Gross Ave		Moncks Corner	SC	29461	-
1661600003	Sandra Jones	207 Gross Ave		Moncks Corner	SC	29461	-
1661600002	Sandra Jones	207 Gross Ave		Moncks Corner	SC	29461	-
1581600001	Pernell Gordon	2934 Verndale Rd		Rock Hill	SC	29730	-
1581600002	Melissa Massey	150 Berry Dr		Gaffney	SC	29340	-
1661600001	Clifton Watson	5125 Floran St		Columbia	SC	29203	-
1621600006	Paula Poston	20076 Hartsville Ruby Rd		Hartsville	SC	29550	-
1621600005	Robert Edwards	700 Druid Hills Dr		Anderson	SC	29621	-
1621600003	Smruti Punjabi	200 Heddon Drive		Lexington	SC	29072	-

EXHIBIT A

Consumers Choice Health Insurance Company
 First Claims Report
 June 2017

POC No.	Claimant Name	Address 1	Address 2	City	State	Zip	Liquidator's Recommended Amount
1621600002	Rebecca Doggett	1854 Montclair Dr	A	Mt Pleasant	SC	29464	-
						Total	-

Exhibit B

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Raymond G. Farmer, as Director of the South
Carolina Department of Insurance,

Petitioner,

vs.

Consumers' Choice Health Insurance
Company,

Respondent.

IN THE COURT OF COMMON PLEAS

FOR THE FIFTH JUDICIAL CIRCUIT

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

**AFFIDAVIT OF MICHAEL J.
FITZGIBBONS
IN SUPPORT OF LIQUIDATOR'S
FIRST CLAIMS REPORT,
RECOMMENDATION &
APPLICATION FOR ORDER
APPROVING SAME**

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. 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.

4. The claims process has included the following components, each and every one 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 with the Liquidator was December 31, 2016. Timely proofs of claim must be postmarked no later than 5:00 P.M. Eastern Time, on such date.
- c. The Liquidator's Proof of Claim (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. As the Special Deputy Liquidator, I have considered each of the one-hundred fifty-four (154) POC's subject to this Claims Report, in accordance with the requirements of Liquidation Act.
- e. I am administering the POC process. I continued the employment and then engaged as consultants certain of the Company's claim professionals in addition to continuing the engagement of the Company's 3rd party administrator to assist me in the adjudication of claims under policies for benefits incurred. I have charged these professionals retained with the responsibility to make recommendations to the Liquidator as to the validity, valuation and priority of each POC. The Liquidator, and/or his duly appointed Special Deputy, then independently approves or denies these recommendations in whole or in part and submit the same to this Court for approval.
- f. Each and every POC subject to this Claims Report contains the necessary claim file documentation for the Liquidator's recommendation thereon.
- g. 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.

5. I am submitting this Affidavit in support of Liquidator's First Claims Report, Recommendation & Application for Order Approving Same ("Report, Recommendation and Application"), which pertains to one-hundred fifty-four claims in priority class 2, as prescribed by S.C. Code Ann. §§ 38-27-610 & -620 (2015).

6. Between March 28, 2016 and December 31, 2016, I caused to be issued approximately eighty-seven thousand, seven-hundred thirty-six (87,736) Notices of Liquidation and Proof of Claim (POC) forms, with instructions to policyholders (members), general creditors, and/or other potential claimants and creditors of Consumers' Choice.

1. 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.

7. On or before the Bar Date of December 31, 2016, I received six-hundred sixty-three (663) timely filed POCs, and I received five (5) late-filed POCs.

8. One-hundred fifty-four (154) claims have now been adjudicated and are subject to this application. All remaining unadjudicated POCs are under evaluation.

9. Attached to the Report, Recommendation and Application and incorporated by reference as Exhibit A is a listing of the names and addresses of one hundred fifty-four claimants in this liquidation within priority class 2 as defined in S.C. Code Ann. § 38-27-610(2) (2015), the number assigned to the Proof of Claim submitted by each of these claimants and the amount of the

claim finally recommended and now proposed as the Liquidator's recommendation pursuant to S.C. Code Ann. § 38-27-620 (2015). Actual distributions will be determined and made at the appropriate time in accordance with S.C. Code Ann. §§ 38-27-610 & -630 (2015).

10. 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 17th day of July 2017

Sarah E. Alexander
Notary Public for the State of Arizona
My commission expires 9/15/18



SARAH E. ALEXANDER
Notary Public - Arizona
Maricopa County
Expires 09/15/2018