

NINETEENTH JUDICIAL DISTRICT COURT  
PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA

NUMBER: 499-737

DIVISION: D

J. ROBERT WOOLEY, AS  
ACTING COMMISSIONER OF INSURANCE  
FOR THE STATE OF LOUISIANA

VERSUS

AMCARE HEALTH PLANS OF LOUISIANA, INC.

FILED: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

**Filed on Behalf of – State of Louisiana – State Pays No Court Costs  
La. R.S. 13:4521**

**EX PARTE MOTION FOR RULING ON ALL OUTSTANDING AmCARE MATTERS**

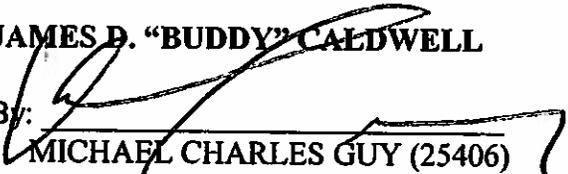
NOW INTO COURT, through undersigned counsel comes, James J. Donelon, Commissioner of Insurance for the State of Louisiana as Liquidator for AmCare Health Plans of Louisiana, Inc. In Liquidation, through the Court-appointed Deputy Receiver, Marlon Harrison ("AmCare-LA"), who represents that numerous pleadings have been filed in this matter since March 30, 2012, all requiring action by this Court, and at least one critical motion related to the agreement of the United States Department of Justice to waive certain federal claims against AmCare-LA, but that copies of the pleadings filed have not been entered into the Court's computer records and are not available to the public on the Court Connect website, and who requests that rulings be issued by this Court as to all pending matters in the interest of moving the AmCare-LA liquidation forward, all as is more fully explained in the memorandum in support of this motion, which is attached hereto and incorporated herein.

WHEREFORE, AmCare-LA prays that the Court take steps to make all pleadings filed in the AmCare-LA liquidation available and that rulings be issued as to all pending matters, and for all other appropriate relief.

19th JUDICIAL DISTRICT  
PARISH OF EAST BATON ROUGE, LA  
00152973.WPD  
2012 JUN 4 10:26  
DOUG WELDON  
CLERK OF COURT

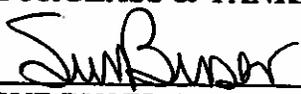
Respectfully submitted,

**JAMES D. "BUDDY" CALDWELL**

By: 

**MICHAEL CHARLES GUY (25406)**  
Assistant Attorney General  
P. O. Box 94005  
Baton Rouge, LA 70804  
(225) 326-6445

**BURGLASS & TANKERSLEY, LLC**

  
\_\_\_\_\_  
**SUE BUSER (18151)**  
5213 Airline Drive  
Metairie, Louisiana 70001-5602  
Phone: (504) 836-2220  
Telefax: (504) 836-2221

Attorneys for JAMES J. DONELON  
Commissioner of Insurance for the State of Louisiana as  
Liquidator of AmCare Health Plans of Louisiana, Inc. In Liquidation

NINETEENTH JUDICIAL DISTRICT COURT  
PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA

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J. ROBERT WOOLEY, AS  
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AMCARE HEALTH PLANS OF LOUISIANA, INC.

FILED: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

**MEMORANDUM IN SUPPORT OF EX PARTE MOTION FOR RULING ON ALL  
OUTSTANDING AmCARE MATTERS**

MAY IT PLEASE THE COURT:

On March 30, 2012, this honorable Court entered a Per Curiam, suspending the Court's prior minute entry of March 12, 2012, and advising that further orders would be issued by the Court within the next several weeks. However, no additional orders have been issued in over two months since the March 30 per curiam. A number of pleadings have been filed since March 30, for which entries, but not copies, of pleadings, appear in the Justice System CourtConnect records maintained by the Clerk of Court. The Court has not acted on any of the pleadings filed, and though the docket sheet reflects that a Final Order Approving Mutual Release was signed by the Court on April 23, 2012, no copy of that order is available through the Clerk of Court computer records system. There are no documents appearing on the Clerk of Court computer records since March 30, 2012.

The outstanding matters reflected as entries on the Clerk of Court computer records system for which no documents are available include, but are not limited to, the following:

|         |   |  |
|---------|---|--|
| 3/15/12 | Motion and Order to Pay Fees/Expenses             | Michael Guy  |
| 4/3/12  | Motion and Order to Pay Fees/Expenses             | Marlon Harrison  |
| 4/17/12 | Motion and Order to Pay Fees/Expenses             | Michael Guy  |
| 4/17/12 | Motion and Order to Pay Fees/Expenses             | Michael Guy  |
| 4/23/12 | Final Order Approving Mutual Release - Health Net | Court<br>signed by the Court but not available on CourtConnect website |
| 4/23/12 | Judgment - File as is                             | Court  |

|           |  |                 |
|-----------|--|-----------------|
| 5/2/12    | Motion and Order to Pay Fees/Expenses          | Marlon Harrison |
| 5/11/12   | Motion for Authority to Execute Federal Waiver | Sue Buser       |
| 5/15/2012 | Motion with Order to Enter Into Release        | Sue Buser       |
| 5/17/12   | Motion and Order to Pay Fees/Expenses          | Michael Guy     |
| 5/23/12   | Motion with Order to Withdraw as Receiver      | Michael Guy     |

In particular, on May 11, 2012, AmCare-LA filed an Ex Parte Motion for Authority to Enter into Release Agreement with the United States of America for Release of Certain Federal Claims and For Authority to Notify the United States of America of the Closing of the AmCare-LA Receivership Estates For the Purpose of Providing An Opportunity For Inspection and Copying of the AmCare-LA Estate Documents, Books and Records Prior to Their Destruction and/or to Request Written Authorization From the United States Prior to Destruction of the AmCare-LA Estate Records as Required in the Release. The docket sheet reflects that no action has been taken as to this pending motion, which is critical to the AmCare-LA estate as it relieves the estate of liability for certain claims of the United States and requires Court approval.

Also pending without ruling is the Liquidation Plan submitted to the Court on December 8, 2011, which was taken up at a status conference in open court on December 13, 2011, and the AmCare-LA motion for authority to pay judicial interest from the date of liquidation on November 12, 2002 on all the allowed and approved claims of Class 2, Class 5 and Class 6, as the judgment submitted to the Court on March 16, 2012, is simply marked by the Court as "File As Is." A copy of the AmCare-LA docket sheet available through the Clerk of Court for the period from March 16 through May 30, 2012, and which contains the minute entries and per curiam entered by the Court, is attached as **Exhibit A**. A copy of the Motion for Status Conference as to and Approval of the AmCare Health Plans of Louisiana, Inc. In Liquidation Plan of Liquidation and proposed order are attached as **Exhibit B**.

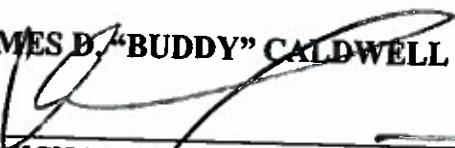
AmCare-LA submits that it is in the best interests of the AmCare-LA Liquidation, as well as the AmCare-LA policyholders, members, subscribers, creditors, providers, and the public, for the Court to act on the pending matters, in order to move forward with the AmCare-LA liquidation. A copy of a proposed order for the Court's consideration is attached.

WHEREFORE AmCare-LA prays for an order granting this motion and for action to be taken by the Court accordingly, and for all other appropriate relief.

Respectfully submitted,

**JAMES B. "BUDDY" CALDWELL**

By:

  
MICHAEL CHARLES GUY (25406)  
Assistant Attorney General  
P. O. Box 94005  
Baton Rouge, LA 70804  
(225) 326-6445

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Telefax: (504) 836-2221

Attorneys for JAMES J. DONELON  
Commissioner of Insurance for the State of Louisiana as  
Liquidator of AmCare Health Plans of Louisiana, Inc. In Liquidation

|                      |  |                       |              |
|----------------------|--|-----------------------|--------------|
| Image:               |  | Microfilm #: CP 02/14 |              |
| 16-Feb-2012 11:08 AM | SIGNED   | GUY, MICHAEL CHARLES  | see pleading |
| Entry:               | none   |                       |              |
| Image:               | Microfilm #:   |                       |              |
| 09-Mar-2012 10:34 AM | MTN&ORD TO PAY FEES/EXP  | HARRISON, MARLON VAN  | see pleading |
| Entry:               | none   |                       |              |
| Image:               | Image Available -  | Microfilm #:          | S/R 03/19/12 |
| 09-Mar-2012 10:35 AM | AFFIDAVIT  | HARRISON, MARLON VAN  | see pleading |
| Entry:               | none   |                       |              |
| Image:               | Image Available -  | Microfilm #:          | S/R 03/19/12 |
| 09-Mar-2012 10:35 AM | ATTACH/EXHIBITS(W/COST)  | HARRISON, MARLON VAN  | see pleading |
| Entry:               | none   |                       |              |
| Image:               | Image Available -  | Microfilm #:          | S/R 03/19/12 |
| 12-Mar-2012 11:08 AM | Hearing Held   |                       |              |
| Entry:               | <p>This matter came before the Court for Hearing on Objections of Westbrook &amp; MedImpact to Receiver's Recommendation that Their Claims Be Denied and Disallowed; Motion for Reconsideration. Present in Court: Claude Reynaud, Jr., counsel for MedImpact Healthcare Systems, Inc. The parties stipulated to the following: MedImpact propounded upon Amcare Louisiana Interrogatories and request for production of documents to which Amcare has already responded. MedImpact propounded a second request for production of documents. The response that Amcare has will be delivered to MedImpact by email through counsel. Amcare has responded to all written discovery from MedImpact. Amcare has interrogatories and request for production of documents that were sent to MedImpact and has not yet received a response on that written discovery. The parties are reserving the rights to take certain depositions including the deposition of Karl Gerard Bostic, Advance Pharmacy Concepts, and possibly a 1442 deposition of MedImpact. The parties proposed that in the event a Rule to Show Cause on legal issues identified is required that that be filed with 45 days of today, and a hearing being held within 60 days, and that the final hearing in this matter be held at the end of 60 days. With the matter regarding interest in the Class Two claims in this matter, the Court allowed interest at the legal rate but because it has an element of the punitive damages, the Court is going to set that date at the date the judgment became final on April 1, 2011. With the matter regarding interest in the Class Five and Six claims in this matter, the Court allowed the interest on those two claims based upon the legal rate and on the the date the judgment became final on April 1, 2011. Judgment to be signed accordingly. (Lori Achee, Monday, March 12, 2012)</p> |                       |              |
| Image:               | Microfilm #:   |                       |              |
| 14-Mar-2012 10:06 AM | SIGNED   | HARRISON, MARLON VAN  | see pleading |
| Entry:               | none   |                       |              |
| Image:               | Microfilm #:   |                       |              |

**EXHIBIT**  
**A**

|                      |   |                            |              |
|----------------------|---|----------------------------|--------------|
| 15-Mar-2012 04:07 PM | LETTER FROM ATTORNEY  | GUY,<br>MICHAEL<br>CHARLES | see pleading |
| Entry:               | none  |                            |              |
| Image:               |   | Microfilm #:               | CP 03/19     |
| 15-Mar-2012 04:08 PM | MTN&ORD TO PAY FEES/EXP   | GUY,<br>MICHAEL<br>CHARLES | see pleading |
| Entry:               | none  |                            |              |
| Image:               |   | Microfilm #:               | CP/JDG 03/19 |
| 15-Mar-2012 04:08 PM | MEMORANDUM IN SUPPORT   | GUY,<br>MICHAEL<br>CHARLES | see pleading |
| Entry:               | none  |                            |              |
| Image:               |   | Microfilm #:               | CP 03/19     |
| 15-Mar-2012 04:09 PM | AFFIDAVIT   | GUY,<br>MICHAEL<br>CHARLES | see pleading |
| Entry:               | none  |                            |              |
| Image:               |   | Microfilm #:               | CP 03/19     |
| 15-Mar-2012 04:09 PM | Sealed Document   | GUY,<br>MICHAEL<br>CHARLES | see pleading |
| Entry:               | none  |                            |              |
| Image:               |   | Microfilm #:               | CP 03/19     |
| 16-Mar-2012 02:59 PM | LETTER FROM ATTORNEY  | BUSER, SUE                 | see pleading |
| Entry:               | none  |                            |              |
| Image:               | Image Available -  | Microfilm #:               | S/R 04/25/12 |
| 16-Mar-2012 02:59 PM | JUDGMENT  | BUSER, SUE                 | see pleading |
| Entry:               | none  |                            |              |
| Image:               | Image Available -  | Microfilm #:               | S/R 04/25/12 |
| 16-Mar-2012 03:00 PM | M&O/APPLY SUPERVISORY<br>WRIT   | BUSER, SUE                 | see pleading |
| Entry:               | none  |                            |              |
| Image:               |   | Microfilm #:               | WT 03/20     |
| 16-Mar-2012 03:00 PM | MOTION W/OUT ORDER  | BUSER, SUE                 | see pleading |
| Entry:               | REQUEST FOR WRITTEN REASONS FOR JUDGMENT  |                            |              |
| Image:               | Image Available -  | Microfilm #:               | S/R 04/03/12 |

|                      |  |              |              |
|----------------------|--|--------------|--------------|
| 16-Mar-2012 04:49 PM | Oral Reasons   |              |              |
| Entry:               | <p>The Court has previously entered its ruling on this matter on March 12, 2012 and will sign judgment memorializing such ruling upon presentation after filing with the Clerk of Court. The Court hereby grants a period of 60 days from the date of its ruling on March 12, 2012 to MedImpact to have this matter tried on the merits. The Court allowed counsel in that matter, Ms. Sue Buser and Ms. Jeanne Comeaux, to circulate a proposed scheduling order to allow for appropriate discovery and limited motion practice. Judgment will be signed accordingly upon presentation after circulation among counsel. The Court has further considered additional interim orders with respect to filing of the income tax return, the opening of an additional period to determine whether there are late filed or prescribed claims, the setting aside of some reasonable sum for administrative costs in these proceedings, and the setting aside for distribution of surplus to entities for use to augment healthcare interest. The Court has heard limited argument with respect to such distribution to Southern University Law Center, Louisiana Leadership Institute, Children's Medical Network, St. Jude's Cancer Treatment Center, Boys Hope/Girls Hope, Debbie Allen School, and The Greater Baton Rouge Food Bank. Therefore, the Court further considering that the Supreme Court's ruling in this matter has been final, but it is subject to legislative overrule retroactively. The Court maintains the separation of power hereby orders that all sums herein held on behalf of the State be moved to the Registry of this Court. Judgment to be signed accordingly. Notify Counsel. (Lori Achee, Friday, March 16, 2012)</p> |              |              |
| Image:               |  | Microfilm #: |              |
| 19-Mar-2012 07:04 AM | MOTION W/OUT ORDER   | BUSER, SUE   | see pleading |
| Entry:               | SECOND REQUEST FOR WRITTEN REASONS FOR JUDGMENT  |              |              |
| Image:               | Image Available -  | Microfilm #: | SR 03/20     |
| 19-Mar-2012 07:05 AM | MOTION WITH ORDER  | BUSER, SUE   | see pleading |
| Entry:               | EX PARTE MOTION FOR EXPEDITED CONSIDERATION AND FOR STAY   |              |              |
| Image:               | Image Available -  | Microfilm #: | S/R 03/20/12 |
| 19-Mar-2012 07:08 AM | MTN/APP SUPERVISORY WRIT   | BUSER, SUE   | see pleading |
| Entry:               | SECOND NOTICE  |              |              |
| Image:               | Image Available -  | Microfilm #: | S/R 03/20/12 |
| 20-Mar-2012 07:58 AM | CERTIFICATE  | BUSER, SUE   | see pleading |
| Entry:               | none   |              |              |
| Image:               | Image Available -  | Microfilm #: | SR 03/21     |
| 20-Mar-2012 07:59 AM | EXTRACT OF MINUTES   | BUSER, SUE   | see pleading |
| Entry:               | none   |              |              |
| Image:               | Image Available -  | Microfilm #: | SR 03/21     |
| 20-Mar-2012 09:13 AM | FAX FEE/PLEADING   | BUSER, SUE   | see pleading |
| Entry:               | AFFIDAVIT OF SERVICE   |              |              |
| Image:               | Image Available -  | Microfilm #: | S/R 4-4      |

|                      |  |                  |                                   |
|----------------------|--|------------------|-----------------------------------|
| 20-Mar-2012 09:14 AM | LTR / FAX RECT   | BUSER, SUE       | see pleading                      |
| Entry:               | AFFIDAVIT OF SERVICE   |                  |                                   |
| Image:               | Image Available -  | Microfilm #:     | S/R 4-4                           |
| 20-Mar-2012 10:51 AM | Oral Reasons   |                  |                                   |
| Entry:               | <p>?This matter comes before the Court for on an Application for Writ. The record reflects that there was an application, a second application, for a Supervisory Writ from a minute entry this Court issued on Friday, March 16th; that came in Monday morning at 10:30. There was never any first application for a writ nor was it presented to the Court nor even filed with the Clerk of Court. The record further reflects that there appears an additional pleading, Second Request for Written Reasons for Judgment. The record reflects that there is no First Written Reasons for Judgment. It was not filed with the Clerk of Court neither was it presented to the Court. The Record further reflects that this Court has not issued any order moving any sums into the Registry of the Court. The Court has not expended one lota of a cent in this matter, and any writ application predicated upon that basis is clearly premature but certainly unwarranted. Annexed hereto is a copy of the Clerk of Court?s Certificate attesting to the efficacy of this Court?s ruling and the records of this Court.? (Lori Achee, Tuesday, March 20, 2012)</p> |                  |                                   |
| Image:               |  | Microfilm #:     |                                   |
| 20-Mar-2012 12:24 PM | Denied   | BUSER, SUE       | see pleading                      |
| Entry:               | Second Notice of Intention to Apply for Supervisory Writs was denied this date.  |                  |                                   |
| Image:               |  | Microfilm #:     |                                   |
| 20-Mar-2012 12:47 PM | SET FOR CONTRADICTIONARY HEARING   | BUSER, SUE       | see pleading                      |
| Entry:               | none   |                  |                                   |
| Image:               |  | Microfilm #:     |                                   |
| 23-Mar-2012 08:31 AM | FINDINGS OF SUPREME COURT  | BUSER, SUE       | see pleading                      |
| Entry:               | none   |                  |                                   |
| Image:               | Image Available -  | Microfilm #:     | SR 04/03                          |
| 23-Mar-2012 03:19 PM | STIPULATION  | COMEAX, JEANNE C | MEDIMPACT HEALTHCARE SYSTEMS, INC |
| Entry:               | none   |                  |                                   |
| Image:               | Image Available -  | Microfilm #:     | SR 03/26                          |
| 27-Mar-2012 07:33 AM | M&O/APPLY SUPERVISORY WRIT   | BUSER, SUE       | see pleading                      |
| Entry:               | none   |                  |                                   |
| Image:               | Image Available -  | Microfilm #:     | S/R 04/25/12                      |
| 27-Mar-2012 07:34 AM | JUDGMENT   | BUSER, SUE       | see pleading                      |
| Entry:               | none   |                  |                                   |
| Image:               | Image Available -  | Microfilm #:     | WT 03/27                          |
| 27-Mar-2012 07:35 AM | MOTION WITH ORDER  | BUSER, SUE       | see pleading                      |

|                      |  |                           |              |
|----------------------|--|---------------------------|--------------|
|                      | Entry: REQUEST FOR WRITTEN REASONS FOR JUDGMENT  |                           |              |
|                      | Image: Image Available -   | Microfilm #: SR 05/14     |              |
| 27-Mar-2012 07:36 AM | ATTACH/EXHIBITS(W/COST)  | BUSER, SUE                | see pleading |
|                      | Entry: none  |                           |              |
|                      | Image: Image Available -   | Microfilm #: SR 05/14     |              |
| 27-Mar-2012 07:37 AM | JUDGMENT   | BUSER, SUE                | see pleading |
|                      | Entry: none  |                           |              |
|                      | Image:   | Microfilm #: WT 03/27     |              |
| 28-Mar-2012 12:29 PM | MOTION WITH ORDER  | CULLENS JR, J E           | see pleading |
|                      | Entry: CONSENT MOTION TO APPROVE MUTUAL RELEASE AND INCORP MEMO  |                           |              |
|                      | Image: Image Available -   | Microfilm #: SR 04/25/12  |              |
| 28-Mar-2012 12:30 PM | ATTACH/EXHIBITS(W/COST)  | CULLENS JR, J E           | see pleading |
|                      | Entry: none  |                           |              |
|                      | Image:   | Microfilm #: S/R 04/25/12 |              |
| 29-Mar-2012 12:50 PM | LETTER FROM ATTORNEY   | BUSER, SUE                | see pleading |
|                      | Entry: none  |                           |              |
|                      | Image: Image Available -   | Microfilm #: SR 03/29     |              |
| 29-Mar-2012 12:50 PM | AFFIDAVIT  | BUSER, SUE                | see pleading |
|                      | Entry: OF SERVICE  |                           |              |
|                      | Image: Image Available -   | Microfilm #: SR 03/29     |              |
| 29-Mar-2012 12:50 PM | ATTACH/EXHIBITS(W/COST)  | BUSER, SUE                | see pleading |
|                      | Entry: none  |                           |              |
|                      | Image: Image Available -   | Microfilm #: SR 03/29     |              |
| 30-Mar-2012 07:10 AM | EXTRACT OF MINUTES   | BUSER, SUE                | see pleading |
|                      | Entry: none  |                           |              |
|                      | Image: Image Available -   | Microfilm #: SR 04/04     |              |
| 30-Mar-2012 08:54 AM | Mailed   |                           |              |
|                      | Entry: Minute entry of March 30, 2012, mailed this date.   |                           |              |
|                      | Image:   | Microfilm #:              |              |
| 30-Mar-2012 05:15 PM | Oral Reasons   |                           |              |
|                      | Entry: Per Curiam The Court having carefully reconsidered its intentions as expressed in the minute entry of March 12, 2012 and subsequent thereto and further considering the recommendation of the Receiver, as well as the pendency of the MedImpact claim, the |                           |              |

|  |                         |                      |              |
|--|-------------------------|----------------------|--------------|
| contingent liability of the estimated tax should IRS deny the \$9,000,000 NOL carry forward, and outstanding uncertainty of the medicare reimbursement, and, finally, the other claims with respect to professional service contracts that remain outstanding, this Court hereby suspends its minute entry of March 12, 2012 staying expenditures except those that are absolutely necessary until further orders of this Court. The Court being concerned that the Receiver has expressed a reluctance to file an income tax return, and the Oklahoma Receiver is no longer interested in filing jointly with the State of Louisiana; the Court will issue further orders consistent herewith within the next several weeks. Notify counsel by First Class Mail. (Lori Achee, Friday, March 30, 2012) |                         |                      |              |
| Image:   |                         | Microfilm #:         |              |
| 03-Apr-2012 02:51 PM   | MTN&ORD TO PAY FEES/EXP | HARRISON, MARLON VAN | see pleading |
| Entry:   | none                    |                      |              |
| Image:   |                         | Microfilm #:         | CP/JDG 04/03 |
| 03-Apr-2012 02:51 PM   | AFFIDAVIT               | HARRISON, MARLON VAN | see pleading |
| Entry:   | none                    |                      |              |
| Image:   |                         | Microfilm #:         | CP 04/03     |
| 03-Apr-2012 02:51 PM   | ATTACH/EXHIBITS(W/COST) | HARRISON, MARLON VAN | see pleading |
| Entry:   | none                    |                      |              |
| Image:   |                         | Microfilm #:         | CP 04/03     |
| 17-Apr-2012 07:41 AM   | LETTER FROM ATTORNEY    | GUY, MICHAEL CHARLES | see pleading |
| Entry:   | none                    |                      |              |
| Image:   |                         | Microfilm #:         | CP 04/18     |
| 17-Apr-2012 07:41 AM   | MTN&ORD TO PAY FEES/EXP | GUY, MICHAEL CHARLES | see pleading |
| Entry:   | none                    |                      |              |
| Image:   |                         | Microfilm #:         | CP/JDG 04/18 |
| 17-Apr-2012 07:42 AM   | Sealed Document         | GUY, MICHAEL CHARLES | see pleading |
| Entry:   | none                    |                      |              |
| Image:   |                         | Microfilm #:         | CP 04/18     |
| 17-Apr-2012 07:44 AM   | AFFIDAVIT               | GUY, MICHAEL CHARLES | see pleading |
| Entry:   | none                    |                      |              |
| Image:   |                         | Microfilm #:         | CP 04/18     |

|                      |   |                            |              |
|----------------------|---|----------------------------|--------------|
| 17-Apr-2012 07:44 AM | LETTER FROM ATTORNEY  | GUY,<br>MICHAEL<br>CHARLES | see pleading |
| Entry:               | none  |                            |              |
| Image:               |   | Microfilm #:               | CP 04/18     |
| 17-Apr-2012 07:44 AM | MTN&ORD TO PAY FEES/EXP   | GUY,<br>MICHAEL<br>CHARLES | see pleading |
| Entry:               | none  |                            |              |
| Image:               |   | Microfilm #:               | CP/JDG 04/18 |
| 17-Apr-2012 07:45 AM | MEMORANDUM IN SUPPORT   | GUY,<br>MICHAEL<br>CHARLES | see pleading |
| Entry:               | none  |                            |              |
| Image:               |   | Microfilm #:               | CP 04/18     |
| 17-Apr-2012 07:45 AM | AFFIDAVIT   | GUY,<br>MICHAEL<br>CHARLES | see pleading |
| Entry:               | none  |                            |              |
| Image:               |   | Microfilm #:               | CP 04/18     |
| 17-Apr-2012 07:46 AM | Sealed Document   | GUY,<br>MICHAEL<br>CHARLES | see pleading |
| Entry:               | none  |                            |              |
| Image:               |   | Microfilm #:               | CP 04/18     |
| 23-Apr-2012 08:21 AM | Signed  | CULLENS JR,<br>J E         | see pleading |
| Entry:               | Final Order Approving Mutual Release signed this date; see order. |                            |              |
| Image:               |   | Microfilm #:               |              |
| 23-Apr-2012 02:52 PM | MOOT  | BUSER, SUE                 | see pleading |
| Entry:               | Notice of Intention to Apply for Supervisor Writs - Moot.         |                            |              |
| Image:               |   | Microfilm #:               |              |
| 23-Apr-2012 03:04 PM | FILE AS IS  | BUSER, SUE                 | see pleading |
| Entry:               | Judgment file as is.  |                            |              |
| Image:               |   | Microfilm #:               |              |
| 23-Apr-2012 05:24 PM | FILE AS IS  | BUSER, SUE                 | see pleading |
| Entry:               | none  |                            |              |
| Image:               |   | Microfilm #:               |              |

Unofficially certified by the court clerk on 04/18/2012 at 10:00 AM.

|                      |                             |                      |              |
|----------------------|-----------------------------|----------------------|--------------|
| 25-Apr-2012 05:16 PM | NTC OF JU MAILED FROM JUDGE | CULLENS JR, J E      | see pleading |
| Entry:               | none                        |                      |              |
| Image:               |                             | Microfilm #:         |              |
| 25-Apr-2012 05:17 PM | NTC OF JU MAILED FROM JUDGE | CULLENS JR, J E      | see pleading |
| Entry:               | none                        |                      |              |
| Image:               |                             | Microfilm #:         |              |
| 25-Apr-2012 05:17 PM | NTC OF JU MAILED FROM JUDGE | CULLENS JR, J E      | see pleading |
| Entry:               | none                        |                      |              |
| Image:               |                             | Microfilm #:         |              |
| 25-Apr-2012 05:17 PM | NTC OF JU MAILED FROM JUDGE | CULLENS JR, J E      | see pleading |
| Entry:               | none                        |                      |              |
| Image:               |                             | Microfilm #:         |              |
| 02-May-2012 11:25 AM | MTN&ORD TO PAY FEES/EXP     | HARRISON, MARLON VAN | see pleading |
| Entry:               | none                        |                      |              |
| Image:               |                             | Microfilm #:         | CP/JDG 05/02 |
| 02-May-2012 11:25 AM | AFFIDAVIT                   | HARRISON, MARLON VAN | see pleading |
| Entry:               | none                        |                      |              |
| Image:               |                             | Microfilm #:         | CP 05/02     |
| 02-May-2012 11:28 AM | ATTACH/EXHIBITS(W/COST)     | HARRISON, MARLON VAN | see pleading |
| Entry:               | none                        |                      |              |
| Image:               |                             | Microfilm #:         | CP 05/02     |
| 11-May-2012 09:58 AM | FAX FEE/PLEADING            | BUSER, SUE           | see pleading |
| Entry:               | MOTION FOR AUTHORITY        |                      |              |
| Image:               |                             | Microfilm #:         | CP 05/15     |
| 11-May-2012 09:59 AM | LTR / FAX RECT              | BUSER, SUE           | see pleading |
| Entry:               | MOTION FOR AUTHORITY        |                      |              |
| Image:               |                             | Microfilm #:         | CP 05/15     |
| 15-May-2012 02:28 PM | LETTER FROM ATTORNEY        | BUSER, SUE           | see pleading |
| Entry:               | none                        |                      |              |

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| Image:               |                                       | Microfilm #:               | CP 05/15     |
| 15-May-2012 02:27 PM | MOTION WITH ORDER                     | BUSER, SUE                 | see pleading |
| Entry:               | TO ENTER INTO RELEASE AGREEMENT...ETC |                            |              |
| Image:               |                                       | Microfilm #:               | CP/JDG 05/15 |
| 15-May-2012 02:27 PM | ATTACH/EXHIBITS(W/COST)               | BUSER, SUE                 | see pleading |
| Entry:               | none                                  |                            |              |
| Image:               |                                       | Microfilm #:               | CP 05/15     |
| 15-May-2012 02:28 PM | MEMORANDUM IN SUPPORT                 | BUSER, SUE                 | see pleading |
| Entry:               | none                                  |                            |              |
| Image:               |                                       | Microfilm #:               | CP 05/15     |
| 17-May-2012 01:26 PM | LETTER FROM ATTORNEY                  | GUY,<br>MICHAEL<br>CHARLES | see pleading |
| Entry:               | none                                  |                            |              |
| Image:               |                                       | Microfilm #:               | CP 05/17     |
| 17-May-2012 01:26 PM | MTN&ORD TO PAY FEES/EXP               | GUY,<br>MICHAEL<br>CHARLES | see pleading |
| Entry:               | none                                  |                            |              |
| Image:               |                                       | Microfilm #:               | CP/JDG 05/17 |
| 17-May-2012 01:27 PM | MEMORANDUM IN SUPPORT                 | GUY,<br>MICHAEL<br>CHARLES | see pleading |
| Entry:               | none                                  |                            |              |
| Image:               |                                       | Microfilm #:               | CP 05/17     |
| 17-May-2012 01:27 PM | AFFIDAVIT                             | GUY,<br>MICHAEL<br>CHARLES | see pleading |
| Entry:               | none                                  |                            |              |
| Image:               |                                       | Microfilm #:               | CP 05/17     |
| 17-May-2012 01:28 PM | Sealed Document                       | GUY,<br>MICHAEL<br>CHARLES | see pleading |
| Entry:               | none                                  |                            |              |
| Image:               |                                       | Microfilm #:               | CP 05/17     |
| 23-May-2012 04:19 PM | MOTION WITH ORDER                     | GUY,<br>MICHAEL<br>CHARLES | see pleading |

Unofficial electronic filing of documents in this case is subject to the provisions of the Federal Rules of Civil Procedure, specifically Rule 6(e) and the Federal Rules of Criminal Procedure, specifically Rule 43(c). The filing of documents electronically does not constitute a waiver of the right to file a paper document.

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|--|-------------------------|--------------|----------|
| Entry:   | TO WITHDRAW AS RECEIVER |              |          |
| Image:   |                         | Microfilm #: | WT 05/23 |
| - record searched on 8/31/2012 7:47:33 AM for user "Public User" - |                         |              |          |

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NINETEENTH JUDICIAL DISTRICT COURT  
PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA

NUMBER: 499-737

DIVISION: D

J. ROBERT WOOLEY, AS  
ACTING COMMISSIONER OF INSURANCE  
FOR THE STATE OF LOUISIANA

VERSUS

AMCARE HEALTH PLANS OF LOUISIANA, INC.

FILED: \_\_\_\_\_

DEPUTY CLERK

Filed on Behalf of - State of Louisiana - State Pays No Court Costs  
La. R.S. 13:4521

**MOTION FOR STATUS CONFERENCE AS TO AND APPROVAL OF  
THE AMCARE HEALTH PLANS OF LOUISIANA, INC. IN LIQUIDATION  
PLAN OF LIQUIDATION**

NOW INTO COURT, through undersigned counsel comes, James J. Donclon, Commissioner of Insurance for the State of Louisiana as Liquidator for AmCare Health Plans of Louisiana, Inc. In Liquidation, through the Court-appointed Receiver, Michael Adams ("AmCare-LA"), who requests that this honorable Court set a status conference in this matter to consider the Liquidation Plan submitted for AmCare-LA, a copy of which is attached hereto and incorporated herein, and thereafter approve the AmCare-LA Plan of Liquidation, subject to further order of this Court. WHEREFORE, AmCare-LA prays for an order setting this matter for a status conference to consider the Liquidation Plan submitted herewith, and thereafter approve the AmCare-LA Plan of Liquidation subject to further order of this Court, and for all other appropriate relief.

2012 DEC 9 12:33  
BY [Signature]  
DEPUTY CLERK OF COURT  
PARISH OF EAST BATON ROUGE  
LA. R.S. 13:4521  
CERTIFIED TRUE COPY

Respectfully submitted,

BURGLASS & TANKERSLEY, LLC

*Sue Buser*  
SUE BUSER (18151)  
5213 Airline Drive  
Metairie, Louisiana 70001-5602  
Phone: (504) 836-2220  
Telefax: (504) 836-2221  
Attorneys for JAMES J. DONELON  
Commissioner of Insurance for the State of Louisiana as  
Liquidator of AmCare Health Plans of Louisiana, Inc.

EXHIBIT  
**B**

NINETEENTH JUDICIAL DISTRICT COURT  
PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA

NUMBER: 499-737

DIVISION: D

J. ROBERT WOOLEY, AS  
ACTING COMMISSIONER OF INSURANCE  
FOR THE STATE OF LOUISIANA

VERSUS

AMCARE HEALTH PLANS OF LOUISIANA, INC.

FILED: \_\_\_\_\_

DEPUTY CLERK

Filed on Behalf of - State of Louisiana - State Pays No Court Costs .  
La. R.S. 13:4521

**LIQUIDATION PLAN**  
**FOR AmCARE HEALTH PLANS OF LOUISIANA, INC. IN LIQUIDATION**  
**SUBMITTED BY THE LOUISIANA COMMISSIONER OF INSURANCE**

James J. Donclon, Commissioner of Insurance for the State of Louisiana as Liquidator for AmCare Health Plans of Louisiana, Inc. In Liquidation, through the Court-appointed Receiver, Michael Adams ("AmCare-LA") proposes to implement this Liquidation Plan ("the Liquidation Plan") for AmCare-LA, as follows:

**A. PROGRESS OF IDENTIFYING AmCARE LOUISIANA CLAIMANTS TO BE PAID**

AmCare-LA was placed in liquidation by order of this honorable Court on November 12, 2002 (the "Liquidation Order"), and Michael Adams has since been appointed Receiver by the Court. Following the Liquidation Order, notices were sent to all known claimants, policyholders, members, subscribers, and general creditors as to the procedure for filing proofs of claim as to AmCare-LA and all proofs of claim were processed. In June 2005, AmCare-LA filed a Petition and Rule to Consider Report of Receiver on Claims Against AmCare Health Plans of Louisiana, Inc. In Liquidation and Recommendations to the Court on the Priority and Amounts of Allowance of Claims, including objections to a limited number of the claims submitted. By order dated August 15, 2005, the Court set a deadline of December 15, 2005 for any AmCare-LA claimant who filed a proof of claim and who objected to the allowed amounts of their claim to file a written objection with the Court and the AmCare-LA Receiver. Thereafter notice was sent out to all AmCare-LA claimants by mail advising affected AmCare-LA claimants of the

amount of their allowed claims and of the requirements for filing written objections and appearing at the hearing. Of the four objections filed, only two remain open, following a hearing on January 23, 2006, which was continued by consent of the parties, the objection of Scott Westbrook to the recommendation to disallow his claim, and the objection of MedImpact Healthcare Systems, Inc. to the recommendation to disallow its claim, both of which are yet to be determined by the Court. The Court has approved the filing and amounts of 2,683 proofs of claim representing 57,951 claims, of which 2317 were found to be timely filed, and 366 were determined to be untimely, in the following amounts, subject to minor adjustments:

- |    |                     |  |
|----|---------------------|--|
| 1) | Class 1             | administrative claims continue to be paid as incurred. |
| 2) | Class 2             | \$6,038,491.08 plus interest <sup>1</sup>              |
| 3) | Class 3 and Class 4 | \$-0. <sup>2</sup>                                     |
| 4) | Class 5             | \$339,551.75 <sup>3</sup>                              |
| 5) | Class 6             | \$181,094.90 <sup>4</sup>                              |

At the time the Receiver's recommendations as to the AmCare-LA was approved in 2005, there were no funds available to pay AmCare-LA claimants due the insolvency of AmCare-LA and no action was taken as to the allowed claims.

<sup>1</sup> Class 2 includes the timely filed claims of policyholders, subscribers, members, beneficiaries and insured in the amount of \$6,038,491.08, including the claim of Dr. Ostrowe in the amount of \$35.05, plus interest, all previously approved by this Court, but with a few minor revisions due to later information and adjustments. The original amount was shown as \$6,038,665.42.

<sup>2</sup> Class 3 includes the claims of the federal government. Class 4 claims includes the claims of AmCare-LA employees other than AmCare-LA officers and directors. The Receiver's recommendation that both of these be allowed as Zero (\$-0-) Dollars was previously approved by the Court.

<sup>3</sup> Class 5 includes claims under AmCare-LA policies for unearned premiums or other premium refunds and the claims of general creditors in the filed amount of \$3,170,012.21. The Receiver's recommendation that Class 5 claims be allowed in the amount of \$339,551.75 was previously approved by the Court.

<sup>4</sup> The Class 6 includes the claims of all other claimants, including those deemed untimely filed and claims for which no proof of claim was filed in the amount of \$1,037,847.55 and \$3,681,325.26 appearing on the books of AmCare-LA for which no proof of claim was filed. The Receiver's recommendation that Class 6 claims be allowed in the amount of \$181,094.90 was previously approved by the Court.

**B. THE RECOVERY FROM HEALTH NET, INC.**

Three suits were filed by the Receiver for AmCare-LA in 2003, which were later consolidated, including a suit against the former parent company of AmCare-LA in 2003 to recover funds for the AmCare-LA estate. AmCare Health Plans of Oklahoma, in Receivership ("AmCare-OK") and AmCare Health Plans of Texas In Receivership ("AmCare-TX") intervened in the suit. Judgment was rendered in favor of the three AmCare Receivers in November 2005. An appeal followed in the First Circuit Court of Appeal, in which the judgments in favor of the three AmCare Receivers were reversed and rehearing denied in February 2009. Certiorari was granted and on April 1, 2011, the Louisiana Supreme Court reversed the decision of the First Circuit Court of Appeal and essentially reinstated the judgment of the trial court, awarding all three AmCare Receivers recovery against Health Net. In June 2006, AmCare-LA received in excess of \$17 million as a result of the recovery.

**C. ACTIONS TAKEN AS TO PAYMENT OF CLAIMS**

On October 4, 2011, this Court approved the Receiver's motion to pay the principal amount of the Class 2 claims of AmCare-LA policyholders, members, subscribers, enrollees, and medical providers. The Receiver has been in the process of sending out checks, verifying addresses, responding to requests for information, and attempting to locate all the Class 2 claimants in order to complete the distribution process. On December 1, 2011, the Receiver filed a motion for authority to pay principal amount of the Class 5 (general creditors) and Class 6 (late filed proofs of claim) claimants, which motion is currently pending before the Court. There remains to be paid interest on the timely filed claims.

**D. KNOWN LIQUIDATION ACTIONS REMAINING AND/OR PENDING**

AmCare-LA currently needs to address several outstanding known issues, in addition to completion of payment of approved and allowed claims, to move the AmCare-LA liquidation to conclusion, including, the following:

- 1) Determine the True State of the AmCare-LA Assets and Liabilities
- 2) Income Tax Filing and Payment
- 3) Request for Waiver of Federal Claims
- 4) Procedures for Re-Examination of Solvency of the Amcare-LA estate
- 5) Seek Dismissal of All Pending Litigation involving AmCare-LA

Each of these areas is addressed below.

**1. AmCare-LA Assets and Liabilities**

Efforts are underway to determine the collectibility of all outstanding booked receivables as well as the obligation to pay all outstanding booked liabilities. It is anticipated that the Receiver will file a motion with the Court with recommendations to determine an accurate financial statement of then existing assets and liabilities. This is a necessary step in the filing of the AmCare-LA income tax returns.

**2. Income Tax Filing and Payment**

AmCare-LA filed federal and state income tax returns for the years ending 2002, 2003, 2004, 2005, 2006, 2007, and 2008. No returns have yet been filed for 2009 and 2010. Income tax returns for 2011 are not yet due, and cannot be currently prepared as the books and records of AmCare-LA will close on December 31, 2011. The Court approved the retention of the law firm of Scribner Hall and attorney Lori Jones for purposes of obtaining legal advice as to AmCare-LA tax issues. While preliminary work has been done by Ms. Jones, her work has not yet been concluded and several areas still require attention. The Receiver is working with the AmCare-LA local certified public accountant and Ms. Jones to obtain accurate and complete advice as to the issues related to the filing of the AmCare-LA state and federal income tax returns.

Information available to the Receiver at present indicates that AmCare-LA should wait a minimum of eighteen (18) months after the filing of the final tax returns to close the estate in order to allow time for all tax issues to be addressed by both the Internal Revenue Service and the Louisiana Department of Revenue.

**3. Request for Waiver of Federal Claims**

AmCare-LA has filed a request for waiver of federal claims with the United States Department of Justice in Washington, D.C. At present, AmCare-LA has not received a response as to the completeness of this filing, but initial indications from DOJ suggest that additional information will be needed to process this request. Information available to the Receiver at present suggests that this process may take as long as twelve months after complete submission of required information for a response from DOJ.

It has recently come to the attention of the Receiver that claims data as to all claimants appearing on the books and records of AmCare-LA at the time of liquidation in November 2002,

thought to have been lost due to Hurricane Katrina, is available. Efforts are underway to obtain this data. The data is included as part of the information required by DOJ for the waiver requested and will need to be provided to DOJ once it is recovered by AmCare-LA.

4. **Procedures for Re-Examination of Solvency of the Amcare-LA estate**

La. R.S. 22:2034 (G) provides a mandatory procedure where a surplus is found to exist after an adjudication of insolvency.<sup>3</sup> A "surplus" is defined as assets exceeding liabilities, as "net worth", as assets above legal obligations, that is, surplus is the amount of extra money after all liabilities and assets have been properly calculated. Based on the June 2011 payment of the judgment affirmed on April 1, 2011 from Health Net, and on currently available information, it appears that AmCare-LA will have a surplus, assets in excess of liabilities currently known.

La. R.S. 22:2034 (G) provides that if there has been an adjudication of insolvency, as is the case with AmCare-LA, and after payment in full of all allowed claims (which has not yet been completed as to AmCare-LA claimants), and after an adequate reserve has been established for all future costs and expenses of the AmCare-LA estate (which has not yet been completed as to AmCare-LA), the court SHALL set a new date for the filing of claims.

Once the new date is set and notice given to all claimants, the solvency of AmCare-LA is required to be re-examined. If AmCare-LA is found to be solvent, which the Receiver currently believes will be the case, a plan for the distribution of the surplus will have to be formulated and submitted to the Court for approval. While AmCare-LA appears to have sufficient assets to be able to pay all liabilities, not all AmCare-LA liabilities and assets have been fully assessed, reported to the Court, and approved, and there remain open issues with respect to AmCare-LA's income tax liability and AmCare-LA's potential federal liabilities. Not all approved and allowed claims have been fully paid. Reserves for the future costs and expenses of the AmCare-LA estate

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<sup>3</sup> La. R.S. 22:2034 Distribution of assets; priorities; unpaid dividends.

... G. If subsequent to an adjudication of insolvency, pursuant to R.S. 22:2027, a surplus is found to exist after the payment in full of all allowed claims which have been duly filed prior to the last date fixed for the filing thereof and the setting aside of a reserve for all costs and expenses of the proceeding, the court shall set a new date for the filing of claims. After the expiration of said new date, the solvency of such insurer shall be reexamined and if such insurer is then found to be solvent on the basis of all claims then filed and allowed, any surplus existing shall be distributed in accordance with the direction of the court. (Emphasis added).

have not been fully assessed and established. Once these required activities are concluded, the Court is mandated to set a new date for filing claims and AmCare-LA will have to provide notice to all potential claimants of the new date and the process for claims submission<sup>6</sup>, in order to accomplish the task of re-examining the solvency of AmCare-LA.

**5. Seek Dismissal of All Pending Litigation Involving AmCare-LA**

There are several pending matters as yet unaddressed with respect to the litigation involving Health Net, Inc., which include cross claims filed by Health Net against the Louisiana Department of Insurance/Commissioner of Insurance, as well as against the former officers and directors and shareholders of AmCare-LA, as well as AmCare-OK and AmCare-Tx. In addition to the various pending cross claims, there remains pending a suit filed by Health Net, Inc. on November 9, 2006 in the Nineteenth Judicial District Court, case number 550-259, Section 27, against the current and former Louisiana Commissioners of Insurance in their capacity as Liquidator of AmCare-LA, and against the three AmCare Receivers, seeking to annul the judgment rendered in the suit against Health Net. By order dated August 17, 2007, the suit was stayed "in its entirety pending a final, non-appealable ruling of the federal court relating to Health Net's federal nullity action (M.D. La. Civil Docket No. 06-845); or until further Order of this Court." Efforts are underway to seek a release as to the pending cross claims and the Health Net suit. In the event those efforts are unsuccessful, further legal action as to the pending claim and suit may be required.

**E. CONTINUING EFFORTS OF THE RECEIVER TO LIQUIDATE THE PROPERTY, BUSINESS AND AFFAIRS OF AmCARE HEALTH PLANS OF LOUISIANA, INC. IN LIQUIDATION**

While progress in liquidating the property, business, and affairs of AmCare-LA has been affected by many years due to the Health Net litigation described above, the recovery of significant sums of money as a result of the judgment against Health Net has recently provided AmCare-LA with resources to fund all known approved and allowed policyholder and medical claims, as well as the known approved and allowed claims of the AmCare-LA general creditors and late filed claims, as well as the anticipated reserves which will be needed to complete the

---

<sup>6</sup> It is anticipated that at least thirty day notice of the date set by the Court for filing claims will be sent to all AmCare-LA claimants whose claims have not been previously adjudicated and allowed, as well as advertisements published in the major Louisiana metropolitan areas of New Orleans, Baton Rouge, Lafayette, Alexandria, and Shreveport.

liquidation of the AmCare estate. Additional payments are anticipated to Class 2 claimants to complete payment in full of the principal amounts of every Class 2 claim approved and allowed plus interest.

The issues currently known and identified above will continue to be addressed by the Receiver in order to move the AmCare-LA estate toward full resolution and closure. The Receiver reserves the right to amend this plan of liquidation as circumstances dictate and/or as additional information is obtained.

Respectfully submitted,

**BURGLASS & TANKERSLEY, LLC**

  
SUE BUSER (18151)

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Phone: (504) 836-2220

Telefax: (504) 836-2221

Attorneys for JAMES J. DONELON  
Commissioner of Insurance for the State of Louisiana as  
Liquidator of AmCare Health Plans of Louisiana, Inc.

†

NINETEENTH JUDICIAL DISTRICT COURT  
PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA

NUMBER: 499-737

DIVISION: D

J. ROBERT WOOLEY, AS  
ACTING COMMISSIONER OF INSURANCE  
FOR THE STATE OF LOUISIANA

VERSUS

AMCARE HEALTH PLANS OF LOUISIANA, INC.

FILED: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

**JUDGMENT**

A status conference was held in this matter on December 13, 2011 to consider the proposed Plan of Liquidation filed on behalf of AmCare Health Plans of Louisiana, Inc. In Liquidation:

Present: Sue Buscr Attorney for AmCare Health Plans of Louisiana, Inc. In Liquidation  
Marlon Harrison Deputy Receiver for AmCare Health Plans of Louisiana, Inc. In Liquidation  
Michael Adams Receiver for AmCare Health Plans of Louisiana, Inc. In Liquidation  
Michael Guy Assistant Attorney General and attorney for AmCare Health Plans of Louisiana Inc. In Liquidation

The Court considering the Plan of Liquidation for AmCare Health Plans of Louisiana, Inc. In Liquidation submitted by the Receiver for AmCare Health Plans of Louisiana, Inc. In Liquidation, the discussion of the matters presented, and the Court finding that the Plan of Liquidation for AmCare Health Plans of Louisiana, Inc. In Liquidation submitted is in the best interests of AmCare Health Plans of Louisiana, Inc. In Liquidation:

**IT IS ORDERED, ADJUDGED AND DECREED** that the Plan of Liquidation for AmCare Health Plans of Louisiana, Inc. In Liquidation be and same hereby is approved and adopted as submitted, subject to further order of the Court.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Receiver's authority to adopt and implement the Plan of Liquidation be and same hereby is confirmed.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Receiver be and hereby is authorized and directed to take such actions and to expend such funds as may be necessary to implement the Plan of Liquidation, in the sole discretion of the Receiver.

Baton Rouge, Louisiana, this \_\_\_\_ day of \_\_\_\_\_, 2011.

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**JUDGE, DIVISION D**

NINETEENTH JUDICIAL DISTRICT COURT  
PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA

NUMBER: 499-737

DIVISION: D

J. ROBERT WOOLEY, AS  
ACTING COMMISSIONER OF INSURANCE  
FOR THE STATE OF LOUISIANA

VERSUS

AMCARE HEALTH PLANS OF LOUISIANA, INC.

FILED: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

**ORDER**

Considering the foregoing Ex Parte Motion for Ruling on all Outstanding AmCare-LA Matters filed on behalf of James J. Donelon, Commissioner of Insurance for the State of Louisiana as Liquidator for AmCare Health Plans of Louisiana, Inc. In Liquidation, through the Court-appointed Deputy Receiver, Marlon Harrison ("AmCare-LA"), and the Court finding that the relief requested should be permitted and is in the best interests of AmCare Health Plans of Louisiana, Inc. In Liquidation, and its policyholders, members, subscribers, creditors, providers, and the public,

**IT IS ORDERED** that the Ex Parte Motion for Ruling on All Outstanding AmCare-LA matter be and same hereby is GRANTED, with action to be taken by the Court accordingly.

Baton Rouge, Louisiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
JUDGE, DIVISION D