

19<sup>th</sup> JUDICIAL DISTRICT COURT FOR THE PARISH OF EAST BATON ROUGE  
STATE OF LOUISIANA  
NO. C651069 SECTION "22"

JAMES J. DONELON, COMMISSIONER OF INSURANCE FOR THE STATE OF  
LOUISIANA, IN HIS CAPACITY AS REHABILITATOR OF LOUISIANA HEALTH  
COOPERATIVE, INC.

VERSUS

TERRY S. SHILLING, ET AL

FILED:

DEPUTY CLERK

**JOINT MOTION AND ORDER OF PARTIAL DISMISSAL**

On motion of the parties, through undersigned counsel, and on suggesting to this Honorable Court that James J. Donelon, Commissioner of Insurance for the State of Louisiana, in his Capacity as Rehabilitator of Louisiana Health Cooperative, Inc. ("Plaintiff") and Terry S. Shilling, George D. Cromer, Charles D. Calvi, Warner L. Thomas, William A. Oliver, Patrick C. Powers and Travelers Casualty and Surety Company of America ("Defendants"), have reached a compromise and it is Plaintiff's desire that, only as to these Defendants and pursuant to the terms of the underlying Settlement Agreement and Mutual Release of Claims between them, this matter be dismissed with prejudice as to Travelers Casualty and Surety Company of America ("Travelers"), each party to bear their own costs; and that Plaintiff's claims against Terry S. Shilling, George D. Cromer, Charles D. Calvi, Warner L. Thomas, William A. Oliver, Patrick C. Powers and Other Insured Persons, as that term is defined in the underlying Settlement Agreement and Mutual Release of Claims between them, (collectively the "D&O Parties") be dismissed with prejudice, subject to the D&O Parties being named only as nominal defendants in this matter, and only in the event and to the extent that Plaintiff elects to pursue its rights against any insurance company, other than Travelers, which may provide coverage to these D&O Parties regarding Plaintiff's claims against them;

**IT IS ORDERED BY THE COURT** that Plaintiff's claims in the above matter be, and the same are hereby dismissed with prejudice only as to Defendant, Travelers Casualty and Surety Company of America, pursuant to the terms of the underlying Settlement Agreement and Mutual Release of Claims between them, each party to bear their own costs.

**IT IS FURTHER ORDERED BY THE COURT** that Plaintiff's claims against Terry S. Shilling, George D. Cromer, Charles D. Calvi, Warner L. Thomas, William A. Oliver, Patrick C. Powers and Other Insured Persons, as that term is defined in the underlying Settlement Agreement and Mutual Release of Claims between them (collectively the "D&O Parties"), be dismissed with prejudice, subject to the D&O Parties being named only as nominal defendants in this matter, and only in the event and to the extent that Plaintiff elects to pursue its rights against any insurance company, other than Travelers, which may provide coverage to these D&O Parties regarding Plaintiff's claims against them, with each party to bear its own costs.


Baton Rouge, Louisiana this \_\_\_\_ day of October, 2017.


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HON. JUDGE TIMOTHY E. KELLEY


[COUNSEL SIGNATURES ON FOLLOWING PAGES NO. 2 AND 3]

Respectfully submitted,

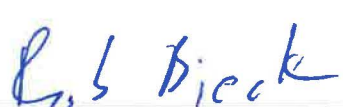
  
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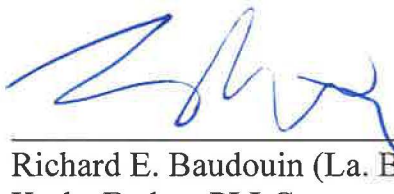
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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing has been furnished via U.S. Mail, postage prepaid, and via e-mail to all counsel of record as follows:

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Baton Rouge, Louisiana this 25<sup>th</sup> day of October, 2017.

  
\_\_\_\_\_  
J. E. Cullens, Jr.