IN THE CIRCUIT COURT OF COLE COUNTY, MISSOURI

CHLORA LINDLEY-MYERS, DIRECTOR,)
DEPARTMENT OF COMMERCE AND INSURANCE)
OF THE STATE OF MISSOURI,	
Plaintiff,)) Case No. 08AC-CC00618
v.)
GUARANTEE TITLE INSURANCE COMPANY,)
Defendant.)

MOTION FOR APPROVAL OF AN INTERIM DISTRIBUTION

Chlora Lindley-Myers, Director of the Missouri Department of Commerce and Insurance ("DCI"), in her capacity as Liquidator of Defendant Guarantee Title Insurance Company, ("GTIC" or the "Estate"), respectfully requests that this Court enter an order approving an interim distribution of assets to Class 2 claimants of GTIC.

In support of this motion, the Liquidator states:

- 1. On October 3, 2008, this Court entered its Judgment, Decree and Order of Liquidation with Finding of Insolvency (the "Liquidation Order") against GTIC and placed GTIC into liquidation.
- 2. Under the Liquidation Order and the Insurers Supervision, Rehabilitation and Liquidation Act, §§ 375.1150 to 375.1246, RSMo (the "Liquidation Act"), the Liquidator acts for and on behalf of GTIC and is vested by operation of law with title to all the property, contracts, rights of action, books and records or GTIC, and is administering it under the general supervision of the Court. The Liquidation Order and the Liquidation Act also direct the Liquidator to: (a) identify, marshal, and liquidate the assets of the Estate; (b) process and

evaluate claims to determine the liabilities of the Estate; and (c) distribute assets to claimants of the Estate in accordance with § 375.1218, RSMo.

- 3. The Liquidator is working on finalizing her review of claims submitted to the Liquidator.
- 4. Section 375.1218, RSMo, sets forth the priority of distribution of claim's from the Estate and requires that "[e]very claim in each class shall be paid in full or adequate funds retained for such payment before the members of the next class receive any payment. No subclasses shall be established within any class. No claim by a shareholder, policyholder or other creditor shall be permitted to circumvent the priority class through the use of equitable remedies."
- 5. Class 1 claims are for "[t]he costs and expenses of administration during rehabilitation and liquidation . . ." § 375.1218.1, RSMo.
- 6. Class 2 claims are for "[a]ll claims under policiesfor losses incurred ("loss claims") including third party claims . . . " § 375.1218.2, RSMo.
- 7. Pursuant to § 375.1222, RSMo, "[u]nder the direction of the court, the liquidator shall pay distributions in a manner that will assure the proper recognition of the priorities and a reasonable balance between the expeditious completion of the liquidation and the protection of unliquidated and undetermined claims, including third party claims."
- 8. As of February 22, 2024, 2024, GTIC had unrestricted estimated assets of \$1,117,377.00, subject to current payable administrative expenses. GTIC currently budgets approximately \$3,000.00 per month for expenses, which should not change significantly as GTIC moves toward closure of the Estate and final distribution. Therefore, the Liquidator believes sufficient funds are available to allow an interim distribution to Class 2 claimants.

- 9. This interim distribution is proposed only for Class 2 claims because it does not appear that sufficient assets will be available to make any distribution on claims with priority below Class 2.
- 10. This interim distribution does not include a distribution for Claim No. 1136. The claimant received payments authorized under previous court orders which exceeds our current recommendation for interim distribution.
- 11. The Liquidator recommends a distribution of 15% on allowed Class 2 claims. The allowed amount of Class 2 claims currently totals \$2,764,627.80. Fifteen percent of the amount of the allowed Class 2 claims, less the amount distributed for Claim No. 1136, is \$286,444.17.
- 12. This interim distribution does not include a small number of Class 2 claims that have not been fully adjudicated. The proposed interim distribution has taken this fact into account. The Liquidator will be able to make a distribution to those claimants if their claims are allowed.
- 13. After payment of the interim distribution of \$286,444.17, a balance of \$830,932.83 would remain in the Estate. This amount would exceed the anticipated needs of the Estate for administrative expenses.
- 14. A spreadsheet showing the proposed distribution by proof of claim number is attached hereto as Exhibit A. It shows the proposed distribution amount for each allowed proof of claim ("POC") in Class 2.
- 15. Each claimant has received prior notice from the Liquidator of the approved amount of their claim. The proposed distribution does not alter that approval, but, instead, pays

a partial amount of the approved claim, subject to further potential payment upon final distribution.

The Liquidator will provide notice of this motion through DCI's website 16. (insurance.mo.gov/companies/receiv.php).

WHEREFORE, the Liquidator prays that this Court to enter an Order approving an interim distribution of 15% for allowed Class 2 claimants as listed in Exhibit A attached hereto.

February 22, 2024

Respectfully submitted,

/s/ Lewis E. Melahn

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/s/ Shelley L. Forrest

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ATTORNEYS FOR CHLORA LINDLEY-MYERS, DIRECTOR, DEPARTMENT OF COMMERCE & INSURANCE, AS LIQUIDATOR

POC No	Amt Claimed	Amt Allowed	15% Allowed	
101	49,600.00	25,735.00	3,860.25	
102	65,250.00	65,250.00	9,787.50	
103	301,000.00	216,000.00	32,400.00	
104	2,337.79	1,496.54	224.48	
105	4,763.65	2,287.90	343.19	
108	7,190.80	4,264.05	639.61	
109	2,196.00	1,174.00	176.10	
110	1,515.00	940.00	141.00	
112	5,377.50	3,978.50	596.78	
113	3,886.62	1,549.87	232.48	
116	60,300.00	32,000.00	4,800.00	
123	4,999.98	4,999.98	750.00	
125	10,109.82	722.25	108.34	
125	2,013.75	861.00	129.15	
127		536.00	80.40	
	1,324.90 2,198.21			
128	·	1,538.71	230.81	
129	4,371.55	1,078.55	161.78	
130	1,694.90	985.50	147.83	
131	4,881.00	3,182.25	477.34	
135	3,543.50	763.50	114.53	
137	1,650.00	1,650.00	247.50	
138	8,799.19	4,892.50	733.88	
139	2,844.50	1,739.00	260.85	
140	3,026.20	1,540.00	231.00	
141	1,659.00	823.50	123.53	
144	2,110.00	1,252.50	187.88	
146	13,952.08	7,635.00	1,145.25	
147	2,967.12	1,438.00	215.70	
148	51,500.00	51,500.00	7,725.00	
149	4,197.50	3,059.00	458.85	
150	8,706.70	7,341.70	1,101.26	
152	2,919.70	1,034.70	155.21	
155	3,053.70	1,227.70	184.16	
157	3,630.00	793.00	118.95	
158	2,480.90	738.25	110.74	
159	4,115.19	4,115.19	617.28	
162	1,987.00	1,152.75	172.91	
163	1,364.50	806.50	120.98	
164	130,828.07	128,604.55	19,290.68	
165	1,740.10	1,284.60	192.69	
166	2,616.60	1,922.80	288.42	
169	1,607.05	310.00	46.50	
173	1,555.55	1,101.00	165.15	
181	2,312.15	1,777.40	266.61	
183	1,374.90	155.00	23.25	
184	1,462.35	646.85	97.03	

185	2,725.68	2,725.68	408.85	
186	3,495.18		272.75	
		1,818.30		
188	1,190.60	723.35	108.50	
189	9,500.00	9,500.00	1,425.00	
191	350,880.21	350,000.00	52,500.00	
200	4,657.29	455.00	68.25	
201	25,057.10	24,025.00	3,603.75	
203	125.00	125.00	18.75	
205	1,602.95	996.20	149.43	
206	6,172.55	325.00	48.75	
207	6,492.02	1,583.00	237.45	
211	4,694.70	853.20	127.98	
219	673.50	121.00	18.15	
220	1,444.10	783.10	117.47	
222	568.00	420.00	63.00	
229	2,615.80	1,243.50	186.53	
230	1,893.32	868.10	130.22	
231	1,246.90	780.90	117.14	
233	783.00	350.00	52.50	
240	2,203.40	1,795.90	269.39	
240	2,669.25	1,914.75	287.21	
241	1,370.60	1,370.60	205.59	
246	300.00	330.00	49.50	
252	9,576.80	9,567.50	1,435.13	
255	2,880.58	1,827.00	274.05	
257	603.50	603.50	90.53	
258	1,145.50	800.00	120.00	
259	1,200.00	1,200.00	180.00	
261	1,354.10	1,354.10	203.12	
262	1,254.40	1,254.40	188.16	
263	999.40	945.40	141.81	
264	710.82	710.82	106.62	
268	99,226.31	25,000.00	3,750.00	
269	2,083.60	556.00	83.40	
270	250.00	250.00	37.50	
271	3,979.40	3,105.90	465.89	
274	437.00	437.00	65.55	
275	123,209.92	117,603.92	17,640.59	
277	428.25	428.25	64.24	
279	1,356.40	1,356.40	203.46	
280	17,523.74	17,185.39	2,577.81	
283	1,241.50	963.50	144.53	
285	1,162.80	912.80	136.92	
286	114.00	60.00	9.00	
287	1,462.20	117.00	17.55	
290	1,063.70	1,063.70	159.56	
290	700.00	82.00	12.30	
292	700.00	02.00	12.30	

295	1,167.70	1,167.70	175.16	
296	850.00	631.00	94.65	
298	976.00	976.00	146.40	
299	1,252.25	1,067.25	160.09	
301	1,407.70	1,407.70	211.16	
310	902.50	902.50	135.38	
311	96.00	96.00	14.40	
312	647.00	86.00	12.90	
314	128.00	128.00	19.20	
315	322.00	53.00	7.95	
316	1,000.00	1,000.00	150.00	
319	319.75	319.75	47.96	
326	3,623.50	3,623.50	543.53	
333	115,000.00	85.00	12.75	
335	636.40	636.40	95.46	
336			237.57	
		1,583.80		
337	229.80	229.80	34.47	
338	396.99	337.99	50.70	
339	828.60	828.60	124.29	
340	854.50	768.50	115.28	
342	3,449.43	3,449.43	517.41	
344	1,110.75	1,110.75	166.61	
348	1,228.88	1,228.88	184.33	
354	·	490.12	73.52	
355	523.00	471.00	70.65	
356	955.50	309.50	46.43	
357	2,047.50	1,368.50	205.28	
359	2,035.25	1,208.00	181.20	
360	1,668.75	1,204.50	180.68	
361	1,192.50	905.50	135.83	
363	1,045.90	1,045.90	156.89	
364	114.00	114.00	17.10	
366	1,372.70	1,372.70	205.91	
367	137.25	137.25	20.59	
368	187.00	187.00	28.05	
369	109.00	109.00	16.35	
373	1,082.50	155.00	23.25	
375	2,247.50	2,171.00	325.65	
377	1,415.53	1,415.53	212.33	
378	2,343.50	1,487.25	223.09	
380	30.00	30.00	4.50	
383	1,788.00	1,273.75	191.06	
384		1,178.90	176.84	
386	3,043.48	2,183.48	327.52	
390	300.00	150.00	22.50	
395	8,055.31	3,251.50	487.73	
402	39.00	39.00	5.85	

			286,444.17	
	3,338,814.11	2,764,627.80	414,694.17 128,250.00	
	2 220 014 11	2 764 627 90	A1A 60A 17	
1139	42,072.56	29,162.23	4,374.33	
1136	0.00	855,000.00		See paragraph 10 of motion
1133	308.90	308.90	46.34	
1132	0.00	30.00	4.50	
1131	3,071.76	2,521.25	378.19	
1127	4,000.00	250.00	37.50	
1126	3,000.00	3,000.00	450.00	
1125	248,400.00	183,977.41	27,596.61	
1123	29,377.57	17,465.19	2,619.78	
1115	57,800.00	36,096.49	5,414.47	
1114	68,000.00	36,096.49	5,414.47	
1108	1,522.50	1,522.50	228.38	
1019	381,329.83	98,520.00	14,778.00	
1016	2,508.50	1,498.00	224.70	
1015	15,269.38	9,668.78	1,450.32	
1013	107,497.10	68,617.00	10,292.55	
1008	153.00	153.00	22.95	
1003	2,127.50	1,095.00	164.25	
1001	2,546.35	1,398.75	209.81	
448	127,500.00	65.00	9.75	
447	1,376.50	1,224.00	183.60	
443	750.93	220.00	33.00	
442	350,391.20	58,645.00	8,796.75	
441	91,152.54	86,199.78	12,929.97	
437	16,380.00	7,631.25	1,144.69	
435	4,736.86	689.50	103.43	
433	11,196.01	8,353.25	1,252.99	
432	2,300.48	1,480.50	222.08	
431	7,292.22	283.25	42.49	
427	5,471.66	493.50	74.03	
422	800.00	530.00	79.50	
419	47,000.00	10,000.00	1,500.00	
417	13,514.75	5,146.75	772.01	
416	1,106.00	661.50	99.23	
415	1,633.25	1,178.00	176.70	
414	43.00	43.00	6.45	
412	1,390.75	1,256.00	188.40	
411	49.00	49.00	7.35	
408	745.00	745.00	111.75	
407	325.85	325.85	48.88	
405	78.00	78.00	11.70	
404	595.50	595.50	89.33	