

**CAUSE NO. GV-002510**

<b>STATE OF TEXAS</b>	§	<b>IN THE DISTRICT COURT</b>
<i>Plaintiff,</i>	§	
	§	
v.	§	<b>TRAVIS COUNTY, TEXAS</b>
	§	
<b>BENEFIT LIFE INSURANCE COMPANY</b>	§	
<i>Defendant.</i>	§	<b>353<sup>RD</sup> JUDICIAL DISTRICT</b>

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**THE COMMISSIONER OF THE TEXAS DEPARTMENT OF INSURANCE’S  
MOTION TO DECLARE FUNDS ABANDONED,  
APPROVE NOTICE, AND SET HEARING**

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The Commissioner of the Texas Department of Insurance (Commissioner) files this Motion to Declare Funds Abandoned, Approve Notice, and Set Hearing, pursuant to Texas Insurance Code section 443.304, and respectfully shows the Court as follows:

**RELIEF REQUESTED**

1. This case was initially filed as a receivership proceeding under Texas Insurance Code Article 21.28. Effective September 1, 2005, pending receiverships brought under Texas Insurance Code Article 21.28 became governed by Texas Insurance Code Article 21A, later redesignated as Texas Insurance Code Chapter 443.
2. The receivership proceeding closed August 30, 2006, after a final distribution of receivership estate funds. Funds totaling \$4,486.00 distributed from the receivership were unclaimed as ordered by the Court’s Order Approving Final Report and Application to Distribute Assets. No distributions were made from the unclaimed funds after the receivership closed and unclaimed funds totaling \$4,486.00 (Unclaimed Funds) remain unclaimed as of the date of the filing of this Motion.
3. The Commissioner requests the Court direct the notice of the Motion, set the Motion for a hearing, and upon hearing, declare that the Unclaimed Funds have been abandoned and order the

funds and the interest earned on those funds be disbursed under Texas Insurance Code section 443.304(b)(1) to the general receivership expense account established by the Commissioner.

### **BACKGROUND**

4. The Court ordered Benefit Life Insurance Company into liquidation in this cause and appointed the Commissioner of Insurance as Receiver, who appointed Ernesto Garza as Special Deputy Receiver (SDR) on November 1, 2000.

5. On May 31, 2006, the SDR filed the Final Report and Application to Distribute Assets (Distribution Application), seeking authority to distribute the remaining receivership funds and proposed to withhold payment of the final distribution to claimants the SDR whose notice is returned as undeliverable. The SDR proposed that all withheld funds remaining unclaimed at closing be remitted to the Commissioner as provided by Texas Insurance Code section 21A.304 (later redesignated as Texas Insurance Code section 443.304). The Distribution Application is attached as **Exhibit 1**.

6. On July 10, 2006, this Court granted all relief sought in the Distribution Application in its Order Approving Final Report and Application to Distribute Assets (Distribution Order), attached as **Exhibit 2**.

7. On August 14, 2006, the SDR filed a Final Accounting, Final Statement of Expenses, and Application for Termination of Liquidation Proceedings and for Order Discharging Receiver and Special Deputy Receiver (Final Accounting). The Final Accounting reported the SDR withheld unclaimed funds from the final distribution, identified in Exhibit F to the Final Accounting. As approved by the Distribution Order, the SDR reported it remitted the unclaimed funds to the Commissioner as provided by Texas Insurance Code section 21A.304 (later redesignated as Texas Insurance Code section 443.304). The SDR's Final Accounting is attached as **Exhibit 3**.

8. This Court approved the Final Accounting on August 30, 2006, in its Order Approving Final Accounting, Final Statement of Expenses, Termination of Liquidation Proceedings, and Discharging Receiver, and Special Deputy Receiver (Closing Order), attached as **Exhibit 4**.

9. In accordance with Texas Insurance Code section 443.304, the SDR remitted unclaimed funds totaling \$4,486.00 to the Commissioner. No distributions were made from the unclaimed funds after the receivership closed and the remaining funds were placed in a segregated unclaimed funds account held by the Commissioner on or about November 30, 2015. The persons entitled to these unclaimed funds were permitted to claim their funds as required by Texas Insurance Code section 443.304(a) for a period of two years from the date of the termination of the proceedings. The remaining funds totaling \$4,486.00 were never claimed by persons entitled to those funds, and those funds remain in the segregated unclaimed funds account held by the Commissioner. The Unclaimed Funds earned interest, which has also been retained in the segregated unclaimed funds account, as provided by Texas Insurance Code section 443.304.

10. Texas Insurance Code section 443.304 provides for the abandonment of unclaimed funds from closed receiverships and governs the disposition of those funds. The Commissioner requests this Court declare that the Unclaimed Funds and the interest earned on those funds are abandoned and order the abandoned funds deposited in the general receivership expense account established by the Commissioner as provided by Texas Insurance Code section 443.304(b)(1).

#### **AUTHORITY AND EVIDENCE**

11. Under Texas Insurance Code section 443.304, the Unclaimed Funds may be declared abandoned upon proof to the satisfaction of this Court that:

- (1) The funds were unclaimed after the final distribution;

- (2) The funds were placed in a segregated unclaimed funds account held by the Commissioner as required by Texas Insurance Code section 443.304(a);
- (3) The funds remain unclaimed in that segregated unclaimed funds account after two years from the date of termination of the proceeding;
- (4) The name of the insurer, the names and last known addresses of the persons entitled to the unclaimed funds, if known, and the amount of the funds are identified in this Motion and attached as **Exhibit 5**; and
- (5) Notice of this Motion will be given as directed by the Court in accordance with Texas Insurance Code section 443.304(b).

12. Documents reflecting that the Unclaimed Funds were placed in a segregated unclaimed funds account held by the Commissioner, and the Unclaimed Funds remaining in that segregated unclaimed funds account are attached as **Exhibit 6**. This exhibit, which has been certified as a government record, demonstrates the following:

- (1) The SDR's Final Accounting identified all unclaimed funds and funds which could not be distributed including the Unclaimed Funds. The Closing Order approved the Final Accounting, which confirmed the funds were unclaimed as provided by Texas Insurance Code section 443.304 and is a final judgment in this proceeding with respect to the distribution.
- (2) The SDR remitted \$4,486.00 in unclaimed funds to the Commissioner and, after no distributions were made, the Unclaimed Funds totaling \$4,486.00 were placed in a segregated unclaimed funds account held by the Commissioner on November 30, 2015.

13. Texas Insurance Code section 443.304(b) provides that upon this Court's finding of the facts set out in subsections 11(1)-(5) above, the Court shall order the Unclaimed Funds and the interest on those funds abandoned to be disbursed and they may be deposited into the general receivership expense account established by the Commissioner.

#### **NOTICE AND REQUEST FOR HEARING**

14. Texas Insurance Code section 443.304(b) provides that notice of this Motion shall be given as directed by this Court. TDI requests that the Court order publication at least ten (10) days prior to the date of the hearing in a newspaper of general circulation in the county where this Motion is filed.

15. The proposed form of the notice by publication is attached as **Exhibit 7**. The Commissioner requests this Court approve and direct the form of notice and set this Motion for hearing.

#### **CONCLUSION AND PRAYER**

WHEREFORE, PREMISES CONSIDERED, the Commissioner respectfully requests that this Court:

1. Direct the form of the Notice for this Motion as attached as **Exhibit 7**;
2. Set this Motion for a hearing;
3. Upon hearing the Motion, order that the Unclaimed Funds are abandoned, and that the abandoned Unclaimed Funds and the past and future interest earned on the funds are to be deposited in the general receivership expense account established by the Commissioner; and
4. Grant the Commissioner such further relief to which she may be entitled.

Date: December 9, 2025.

Respectfully submitted,

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Attorney General of Texas

**BRENT WEBSTER**  
First Assistant Attorney General

**RALPH MOLINA**  
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*Counsel for Plaintiff, the Commissioner of the  
Texas Department of Insurance*

GV-002510

STATE OF TEXAS,  
*Plaintiff,*

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IN THE DISTRICT COURT

v.

BENEFIT LIFE INSURANCE COMPANY  
*Defendants.*

TRAVIS COUNTY, TEXAS  
353RD JUDICIAL DISTRICT

The Commissioner of Insurance, as the chief administrative and executive officer and custodian of records of the Texas Department of Insurance has delegated to the undersigned the authority to certify the authenticity of documents filed with, maintained by and within the custodial authority of the Receivership and Liquidation Oversight Program of the Texas Department of Insurance.

I certify that Exhibits 1 through 6 attached to the Motion to Declare Funds Abandoned as to Benefit Life Insurance Company in this cause are true and correct copies of documents filed with, maintained by and within the custodial authority of the Receivership and Liquidation Oversight Program of the Texas Department of Insurance, and set out the activities of that office.

IN TESTIMONY WHEREOF, witness my hand and seal of office at Austin, Texas, this 20th day of November, 2025.



COMMISSIONER OF INSURANCE

Signed by:

*Jamie Walker*

BY: 89789A08C35F43C...

Jamie Walker  
Deputy Commissioner  
Financial Regulation Division

# EXHIBIT 1

STATE OF TEXAS

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IN THE DISTRICT COURT OF

VS.

TRAVIS COUNTY, TEXAS

BENEFIT LIFE INSURANCE COMPANY

353<sup>RD</sup> JUDICIAL DISTRICT

**FINAL REPORT AND APPLICATION TO DISTRIBUTE ASSETS**

COMES NOW, Ernesto Garza, Special Deputy Receiver under contract to the Permanent Receiver of Benefit Life Insurance Company (hereinafter, "Special Deputy Receiver," and "Benefit Life," respectively), and files this FINAL REPORT AND APPLICATION TO DISTRIBUTE ASSETS ("Final Report"), and in support thereof would respectfully show the Court as follows:

**I. BACKGROUND**

**1.1 Pre-Receivership History**

Benefit Life was organized on March 1, 1982 as a stock life insurance company. The company operated under the provisions of Chapter 3 of the Texas Insurance Code ("the Code"). Benefit Life was licensed in Texas and primarily wrote accident and health and life policies. Benefit Life was also a qualified lender to lend money on behalf of participants in certain U.S. Department of Agriculture guaranteed loan programs (the "Loan Portfolio"). The participants in the Loan Portfolio with Benefit life were a mix of entities, including Hannover Life Reassurance Company of America ("Hannover Re"); First Savings Bank, FSB; G.E. Capital Small Business Finance Corporation; the Rural Business-Cooperative Service ("RBCS"), f/k/a Farmers Home Administration of the U.S. Department of Agriculture (the "USDA"); and the Farm Service Agency, f/k/a Farmers Home Administration of the USDA, all of which had security interests in the Loan Portfolio. Under the program, the USDA guaranteed the loan up to a certain percentage. Upon default of the loan, the USDA would perform and fund the participants up to

its guaranteed percentage.

Benefit Life's and Hannover Re's interests in the Loan Portfolio were also pledged to a reinsurance trust at JP Morgan Chase, account number 10218141 (the "Chase Trust Account"). The Chase Trust Account secured certain reinsurance obligations of Benefit Life.

## **1.2 Institution of Receivership Proceedings**

On September 28, 2000, Benefit Life was placed into permanent receivership by the entry of an Agreed Permanent Injunction and Order Appointing Permanent Receiver pursuant to art. 21.28 of the Code. Effective September 1, 2005, proceedings brought under art. 21.28 became governed by Chapter 21A of the Code. Accordingly, the Special Deputy Receiver files this Final Report pursuant to § 21A.352.

## **1.3 Appointment of Receivers**

In accordance with Article 21.28, § 2(a) of the Code, José Montemayor, the Commissioner of Insurance was appointed Permanent Receiver on September 28, 2000. Mike Geeslin was appointed successor Permanent Receiver on June 7, 2005.

## **1.4 Appointment of Special Deputy Receiver**

On November 1, 2000, Ernesto Garza was designated Special Deputy Receiver.

## **1.5 Referral to Special Master**

On September 28, 2000, this Court signed its Order of Reference to Master, appointing Tom Collins as Special Mater in this proceeding. On September 16, 2005, this Court signed its Interim Supplemental Order of Reference to Master, which continued the appointment of Tom Collins, as Special Master in this proceeding. On November 3, 2005, this Court signed an Amended Order of Reference to Master, which continued the appointment of Tom Collins, as Special Master, and delegated certain matters, including approval of this Final Report, to the Special Master.

## **1.6 Impairment**

On October 2, 2000, the Commissioner of Insurance entered his order designating Benefit Life an impaired insurer. In accordance with Article 21.28-D of the Code, the Texas Life, Accident, Health and Hospital Service Insurance Guaranty Association (“TLIGA”) became obligated to pay certain policyholder obligations of Benefit Life in Texas on October 2, 2000.

## **1.6 Extension of Receivership**

On August 26, 2003, this Court entered its order approving the extension of the Benefit Life receivership until September 28, 2005. By Order of the Court dated August 9, 2005, this Court extended the receivership until all pending appeal periods have expired and all closing activities have been completed.

## **II. ASSETS**

### **2.1 Inventory of Assets**

The Special Deputy Receiver filed an Inventory of Assets for Benefit Life on March 28, 2001 (attached as Exhibit A). All assets of the estate have been liquidated, abandoned, assigned, written off, or will be transferred and assigned. The Disposition of Assets Schedule lists the assets of the estate and the disposition of each asset (attached as Exhibit B).

### **2.2 Assets to be Assigned**

Attached as Exhibit C is a Schedule of Assets that have not been liquidated or fully collected as of the filing of this Final Report. One of these assets, the Chase Trust Account, was comprised of certain cash, stocks, money market accounts and mortgage bonds. All assets that could be liquidated were liquidated and the proceeds were distributed to the estate and to Hannover Re. There were two Federal Home Loan Mortgage certificates that could not be liquidated because their face values were too small. The maturity dates of these certificates are approximately one year from now. The combined value of these certificates was under \$336.00. Chase agreed to accept these two certificates for its fees in liquidating the Chase Trust Account

and distributing the assets. The certificates are FHLMC 312907yc6 and FHLMC 312905s52. Until these mortgage certificates mature, the Chase Trust Account cannot be closed. Because it would not be cost-effective to continue the liquidation proceedings in order to collect these two mortgage certificates at maturity and because Chase is willing to accept these two assets in full payment of its fees, the Special Deputy Receiver proposes to assign the Chase Trust Account with the two certificates to Chase. The proposed assignment is attached hereto as Exhibit D. The Special Deputy Receiver requests that this Court approve the assignment of the Chase Trust Account and its remaining contents to Chase pursuant to § 21A.302(c) and § 21A.352 of the Code.

Another asset on the schedule is the \$4,587,129.44 judgment against taken against Gomax Foods, Inc. and Glen and Elizabeth Odom, the debtor and guarantors of one of the loans in the Loan portfolio (the "Gomax Judgment"). Benefit Life's 5% interest in this loan was pledged to the Chase Trust Account; however, Benefit Life had a priority interest for all expenses incurred in liquidating the property and obtaining the judgment. The collection expenses were reimbursed from the proceeds of the liquidated collateral of the loan portfolio; therefore, the estate has no interest in this judgment. GE Capital was a 7.5% participant and Hannover Re obtained Benefit Life's 5% participation in this loan. The USDA assumed an 87.5% participation in this loan. The Special Deputy Receiver has determined that it would not be cost-effective to continue collection efforts against the judgment debtors. GE Capital and Hannover Re have abandoned their interests in the judgment. Because the estate's priority interest in the Gomax Judgment has been satisfied, and because the other participants have abandoned their interests, the Special Deputy Receiver proposes to assign the Gomax Judgment to the USDA. The proposed assignment is attached hereto as Exhibit E. The Special Deputy Receiver requests that this Court approve the assignment of the Gomax Judgment to the USDA pursuant to § 21A.154 (y) (3) and § 21A.352 of the Code.

The final asset on Exhibit C is the judgment against Fresh Freeze, Inc. for \$3,075,902.68 plus interest. The Special Deputy Receiver has determined that it would not be cost-effective to continue the liquidation proceedings in order to continue collection of this asset. Further all of the other participants in this loan have abandoned any interest in this judgment. In the event that this asset remains unliquidated or uncollected at the time of the termination of these liquidation proceedings, it will be assigned to the Commissioner along with all other assets belonging to Benefit Life estate, including any non-cash, unknown assets pursuant to § 21A.352 of the Code upon termination of the proceedings. The proposed assignment is attached hereto as Exhibit F. The Special Deputy Receiver requests that this Court approve the assignment of the Fresh Freeze Judgment and all uncollected, unknown, and non-cash assets to the Commissioner.

### **2.3 Financial Statements**

A current balance sheet for Benefit Life is attached as Exhibit G. It reflects the financial condition of the receivership estate as of April 30, 2006. Attached as Exhibit H is the Sources and Uses of Funds, which lists all funds received and disbursed from the date of receivership to April 30, 2006.

### **2.4 Charter and Certificate of Authority**

The Permanent Receiver was authorized in this Court's Agreed Permanent Injunction and Order Appointing Permanent Receiver to sell Benefit Life's charter and any related rights. The Special Deputy Receiver's efforts to sell Benefit Life's charter were unsuccessful. Pursuant to §21A.153(e)(1), the Special Deputy Receiver requests that this Court order the dissolution of the corporate entity and charter.

## **III. EXPENSES**

### **3.1 Paid Expenses**

Prior to September 1, 2005, the Special Deputy Receiver filed monthly Statements of Expenses pursuant to art. 21.28, § 12(b) of the Code. In accordance with Standing Order No. 1

entered on May 2, 2003, these expenses have been approved pursuant to art. 21.28, § 12(b) of the Code.

On October 12, 2005 the Receivership Court approved the Special Deputy Receiver's payment of administrative expenses and approved the rates set by the Special Deputy Receiver pursuant to §21A.015. The administrative expenses of the Receiver and Special Deputy Receiver have been paid according to these approved rates through April 30, 2006.

### **3.2 Closing Expenses**

a) The Special Deputy Receiver estimates that \$35,980.00 will be needed to pay expenses incurred from May 1, 2006, until the filing of the Final Accounting and Application to Terminate the Receivership and Discharge Receivers and requests that this amount be set aside for payment of the closing expenses. A detailed Estimate of Estate Closing Expenses is attached hereto as Exhibit I. If any portion of these expenses is unused, the Special Deputy Receiver requests that the funds be transferred to the Receiver to be used in the manner described in paragraph 3.2(c).

b) The Special Deputy Receiver proposes to submit to the Court an accounting of the distribution ("Final Accounting") and a final expense report pursuant to §21A.352 and §21A.015 of the Code on or before the expiration of ninety (90) days after the distribution is made. In the event that the Special Deputy Receiver determines that the closing costs exceed the expense reserve due to unforeseen circumstances, a statement of additional expenses will be filed prior to the distribution.

c) The Special Deputy Receiver anticipates that expenses will be incurred by the Receiver or the Texas Department of Insurance after the distribution of assets for various activities related to the receivership, such as responding to inquiries from claimants or the general public. As it is not possible to estimate the cost of the activities with any reasonable certainty, the Special Deputy Receiver is not reserving any assets from the distribution to pay for

these activities. As it is further described in Paragraph 5.2, the Special Deputy Receiver proposes that certain residual assets which accumulate after the distribution be deemed a supplemental Class 1 payment to the Receiver to defray any such costs.

#### IV. CLAIMS

##### 4.1 Notice

The Loan Portfolio created significant secured claims in this estate. Because of the complexity of the Loan Portfolio program, the Special Deputy Receiver requested two claims filing deadlines. On February 7, 2001, this Court entered its Order Granting Application for Order Setting Claims Filing Deadline for Secured Claims. The claims filing deadline for secured claims was set for May 31, 2001. Persons with potential secured claims against the receivership as shown in the books and records of Benefit Life were notified as required by art. 21.28, § 3(a) of the Code and the aforementioned Order of this Court. Further, on April 18, 2001, this Court entered its Order Granting Authority to Provide Notice and Set Claim Filing Deadline for unsecured claims. The claims filing deadline for unsecured claims was set for August 31, 2001. The Special Deputy Receiver and TLIGA were authorized to send notice and proof of claim forms to the known potential unsecured claimants as shown in the Benefit Life books and records. The notice previously sent to the annuity contract holders was approved and no further notice was needed because TLIGA was directed by the Receivership Court to file a Proof of Claim on behalf of the annuity contract holders. The Special Deputy Receiver was directed to refer all potentially Covered Policy Claims as shown in the books and records of Benefit Life, to TLIGA, pursuant to art. 21.28, § 3(j) of the Code.

##### 4.2 Late Claims

No applications to submit claims after the claims filing deadline have been submitted to this Court for approval pursuant to art. 21.28, § 3(b) or § 21A.251(b) of the Code.

### 4.3 Allowance of Claims

All proofs of claim representing “contractual obligations” were referred to TLIGA pursuant to Article 21.28, § 3(i) of the Code. The Class 1 and Class 2 claims filed by TLIGA have been resolved pursuant to a settlement agreement between the Special Deputy Receiver and TLIGA approved by this Court on December 31, 2002. In some cases, in the Loan Portfolio, the loan participants filed a Proof of Claim and the USDA also filed Proofs of Claim upon performing on the guaranty. The claims were paid under the USDA Proof of Claim upon proof of satisfaction of the USDA’s guaranteed percentage. All but one of the proofs of claim were adjudicated pursuant to art. 21.28, § 3(h) of the Code with respect to their classification and amount. The appeal periods for these proofs of claim have expired. Pursuant to Article 21.28, § 3(h), the SDR’s determination on these claims is final and not subject to review. There is one Class 2 claim that the SDR adjudicated pursuant to Article § 21A.253. The appeal period for this proof of claim has also expired and is now final and not subject to review.

As mentioned above, effective September 1, 2005, proceedings brought under art. 21.28 became governed by Chapter 21A of the Code. Under article 21.28, §8, all claims of unsecured general creditors were classified as Class 4 claims. Under §21A.301, Class 4 is restricted to wage claims of employees, and all other unsecured general creditors are classified as Class 5 claims. Because there were no wage claims in this estate, the reclassification of other unsecured general creditors to Class 5 had no effect on the proposed distributions to such creditors. Because the reclassification did not change the amount to be distributed to the unsecured general creditors, the Special Deputy Receiver did not notify them of their change in classification and avoided the expense, time and potential confusion notification could have caused.

As allowed by §§21A.154(i), and (m) and §21A.260(i), all the secured creditors’ claims from the Loan Portfolio have been resolved by liquidation of the collateral and distribution of the proceeds less the estate’s reasonable and necessary costs and expenses for preserving and

disposing of the properties with the exception of one piece of property. There was some real estate in Hidalgo County related to one of the loans to Fresh Freeze, Inc. (“the Fresh Freeze property”). The Special Deputy Receiver foreclosed on the Fresh Freeze property. Despite his best efforts, the Special Deputy Receiver was unable to sell the property because the property taxes owed exceeded the value of the property. Accordingly, the Special Deputy Receiver, with the consent of the Loan Portfolio participants, abandoned the property to the taxing authorities of Hidalgo County as allowed by §21A.154(i).

No litigation is pending against the Special Deputy Receiver or the receivership estate. A list of all the secured creditors’ proofs of claim filed and the Special Deputy Receiver’s adjudication of each claim is attached as Exhibit J-1. The list of all unsecured creditors’ proofs of claim and the Special Deputy Receiver’s adjudication of each claim is attached as Exhibit J-2. The Special Deputy Receiver requests this Court to consider Exhibits J-1 and J-2 as his report of claims settled or determined as required by §21A.258 and seeks approval of his allowance of those claims under §21A.253.

#### **4.4 Taxes**

The Special Deputy Receiver has filed income tax returns with the Internal Revenue Service for 2000 to 2004. The Special Deputy Receiver anticipates filing the federal tax returns for 2005 and 2006 after the filing of the Final Accounting. The Special Deputy Receiver requests this Court to authorize him to sign the federal tax returns, and any other supporting documents necessary to file the return. No taxes are owed to the Internal Revenue Service.

### **V. DISTRIBUTION OF ASSETS**

#### **5.1 Assets Available for Distribution**

a) After payment of the administrative expenses of the Special Deputy Receiver and his sub-contractors, including the administrative expenses for April 2006, and the closing

expenses described in paragraph 3.2, the Special Deputy Receiver estimates that approximately \$1,541,594 will be available for distribution to the remaining claimants.

b) The Special Deputy Receiver and TLIGA entered into a settlement agreement, approved by this Court, in which TLIGA's Class 1 claim was approved in the amount of \$409,111.00 and a Class 2 claim was approved in the amount of \$2,438,613.52.

c) The Special Deputy Receiver liquidated all of the collateral from the Loan Portfolio and distributed the proceeds, less the estate's reasonable and necessary costs and expenses for preserving and disposing of the properties, to the secured creditors from the Loan Portfolio. The amounts received by the secured creditors are shown on Exhibit J-1.

d) All the Class 2 claimants shown on Exhibit J-2 will receive 100% of their approved claims.

e) After payment of the Class 1 and secured claims (including the closing expenses) and Class 2 claims, the Class 5 claimants (there were no Class 3 or 4) will receive 40.6837% of their approved claims. Exhibit J-2 lists the approved Class 5 claims and shows their distributions.

## **5.2 Supplemental Distribution**

It is anticipated that interest on the receivership's funds reserved for the payment of closing expenses will accrue after the final distribution has commenced. As a result, there will be additional funds in the receivership after the distribution (hereinafter "residual funds"). Any residual funds will not be sufficient to justify another distribution. The Special Deputy Receiver requests that these funds be transferred to the Receiver as a supplemental Class 1 distribution as described in paragraph 3.2(c).

## VI. RECORDS AND REQUEST TO DESTROY

### 6.1 Requests to Destroy Records

On March 6, 2001 and July 31, 2001, this Court entered Orders permitting the Special Deputy Receiver to destroy certain records that were no longer required for the administration of the receivership. The Special Deputy Receiver has identified two hundred and fifty-one (251) boxes of records that are no longer necessary for the administration of the receivership, nor do such records need to be preserved after closure. The storage of these obsolete records is an additional and unnecessary expense to the receivership estate. A copy of the itemized inventory of the two hundred and fifty-one (251) boxes with the box identification number and description is attached as Exhibit K. The Special Deputy Receiver hereby requests authority to destroy the records contained in Exhibit K. The records required by TLIGA have been delivered to them as requested.

### 6.2 Records to Retain

The Special Deputy Receiver estimates that there will be fourteen (14) boxes of records that should be stored as set forth in the Cash Asset Reservation Schedule attached as Exhibit L. The Special Deputy Receiver estimates that the Receiver's cost of storage retention and disposal of these records will be approximately \$270.00. The Special Deputy Receiver requests that this Court authorize payment to the Receiver for such expenses in accordance with § 21A.354(b) of the Code. The Special Deputy Receiver further requests that this Court authorize the Special Deputy Receiver or Commissioner of Insurance to retain or dispose of these records at their discretion.

## VII. UNCLAIMED FUNDS

### 7.1 Unclaimed Distributions

a) The Special Deputy Receiver requests authority to maintain the receivership bank account for up to ninety (90) days after the distribution to claimants is made, and to deliver any

funds which are unclaimed as of the date of the closing of the account to the Commissioner in accordance with § 21A.304(a) of the Code. The Special Deputy Receiver requests authority to close the receivership accounts prior to the running of the ninety (90) day period if he determines that all distribution checks have cleared and it is not cost effective to maintain the accounts any longer.

b) In the event that the notice of closing to any claimant is returned with an address correction, the Special Deputy Receiver will send the distribution check to the new address. In the event a notice is returned undeliverable, the Special Deputy Receiver submits that any check mailed to the last known address will also be returned as undeliverable. The Special Deputy Receiver, therefore, requests that this Court enter an order providing any distribution due to a claimant whose notice is returned as undeliverable be treated as unclaimed pursuant to §21A.304(a) of the Code. The Special Deputy Receiver proposes that all distributions to such claimants be withheld from the mailing of the final distribution and be delivered to the Commissioner upon closing in accordance with § 21A.304(a) of the Code.

## **7.2 Unclaimed Contractual Obligations**

TLIGA does not have any unclaimed “contractual obligations.”

# **VIII. NOTICE**

## **8.1 Prior Notices**

a) The Special Deputy Receiver notified all persons who may have had claims against the estate as shown by the company’s books and records of the claim filing deadline. In addition, in accordance with this Court’s Order Granting Application for Order Setting Claims Filing Deadline for Secured Claims and Order Granting Authority to Provide Notice and Set Claim Filing Deadline for the unsecured claims, the Special Deputy Receiver published notice of the claim filing deadlines in newspapers of general circulation in the State of Texas.

b) On May 2, 2003, the Special Master entered Receivership Master's Standing Order No. 1 Regarding Compliance with Article 21.28, § 12(b) of the Code in this receivership. This order required the Special Deputy Receiver to provide notice to certain creditors of the Statements of Expenses being filed by the Special Deputy Receiver, the location of the Statement of Expenses, and the procedure for objecting to the expenses of the Special Deputy Receiver. The Special Deputy Receiver provided the required notice to all creditors.

c) Chapter 21A of the Code required certain changes in the procedures to be followed by the Special Deputy Receiver. Accordingly, the Special Deputy Receiver filed an *Application for Approval of Fees and Expenses* requesting approval of the SDR's rates and expenses, and provided notice to all creditors on the service list. This Court approved the Special Deputy's and subcontractors' fees and expenses on October 12, 2005, and entered an order finding that effective September 1, 2005, the *Standing Order Regarding Compliance with Tex. Ins. Code Art. 21.28, §12(b)* had no further force or effect.

d) The Special Deputy Receiver has provided notice to all claimants filing proofs of claim as to the classification of their claim and the amount approved with one exception. As mentioned above, one effect of the changes required by Chapter 21A was to reclassify the prior Class 4 general unsecured creditor claims as Class 5 under §21A.301(d) and (e). Under §21A.301 (d), Class 4 is now comprised of employee wage claims. There were no such employee claims filed in this estate; therefore the reclassification of other unsecured general creditors to Class 5 had no effect on the proposed distributions to those creditors. Because the reclassification had no effect on the general unsecured claimants, the Special Deputy Receiver did not notify the Class 5 creditors of their change in classification and avoided the expense, time and potential confusion notification could have caused.

## 8.2 Distribution Notices

In compliance with the Rules adopted by the Special Master under the Amended Order of Reference and Rule 171 of the Texas Rules of Civil Procedure and § 21A.007 of the Code, notice was provided at least fourteen (14) days prior to the hearing on the Special Deputy Receiver's application advising all claimants with approved and/or classified claims of the proposed distribution, the right to object to the other approved Class 5 and above claims of the proposed distribution and the closing of the receivership. A copy of the notice is attached as Exhibit M.

### PRAYER

WHEREFORE, PREMISES CONSIDERED, the Special Deputy Receiver respectfully requests that this Court enter an Order:

1. Accepting and approving in all respects the Final Report and Application to Distribute Assets;
2. Authorizing the assignment of Fresh Freeze Judgment and unknown, non-cash assets to the Commissioner of Insurance;
3. Authorizing the assignment of the Chase Trust Account to JP Morgan Chase and the Gomax Judgment to the USDA as set forth herein;
4. Authorizing the Special Deputy Receiver to reserve \$35,980.00 from the operating account of the estate to be used to pay costs incurred from May 1, 2006, until the date of the filing of the Final Accounting;
5. Authorizing the Special Deputy Receiver to timely file federal tax returns for 2005 and 2006, and any documents after the filing of the Final Accounting;
6. Finding that Exhibits J-1 and J-2 comply with the requirements of §21A.258;
7. Approving the Special Deputy actions on the Proofs of Claims as shown on Exhibits J-1 and J-2 with respect to allowance, amount and priority;

8. Authorizing the Special Deputy Receiver to distribute cash assets of the estate as proposed herein in accordance with § 21A.302 of the Code;

9. Finding that the corporate entity and charter will be deemed dissolved by operation of law upon discharge of the Receiver;

10. Authorizing the payment of any residual funds accumulated after the distribution of assets to the Receiver as a Class 1 payment for costs incurred after distribution;

11. Authorizing the destruction of all nonessential receivership records as described on Exhibit K;

12. Authorizing the Commissioner or Special Deputy Receiver to maintain, transfer, or dispose of any other records, at their discretion;

13. Authorizing the payment to the Receiver for records retention in accordance with § 21A.354(b) of the Code;

14. Authorizing the Special Deputy Receiver to maintain the receivership accounts for up to ninety (90) days or less after approval of the Final Report and Application to Distribute Assets and to deliver all unclaimed funds to the Commissioner;

15. Directing the Special Deputy Receiver to deliver to the Commissioner the unclaimed “contractual obligations” received from TLIGA pursuant to §21A.304(a) of the Code;

16. Authorizing the Special Deputy Receiver to submit to the Court a final itemized and verified expense report pursuant to § 21A.015 of the Code prior to the filing of the Final Accounting;

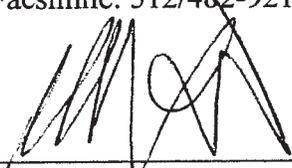
17. Authorizing the Special Deputy Receiver to submit to the Court on or before the expiration of ninety (90) days after the distribution is made, a Final Accounting, Termination of Receivership Proceeding and an order releasing and discharging Mike Geeslin, Permanent Receiver, his predecessor, Jose Montemayor, and Ernesto Garza, Special Deputy Receiver;

18. Accepting all previously filed write-offs and adjustments to the balance sheet since the Special Deputy Receiver's appointment; and

19. Finding that all previously filed Statements of Expenses and Financial Reports have been approved.

Respectfully submitted,

STROUD & WELCH, PLLC.  
11824 Jollyville Road, Suite 200  
Austin, Texas 78759  
Telephone: 512/482-9291  
Facsimile: 512/482-9211

By: 

\_\_\_\_\_  
Rachel Stroud  
State Bar No. 19424700

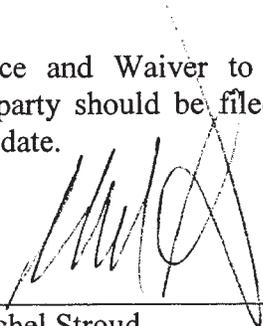
ATTORNEYS FOR ERNESTO GARZA,  
SPECIAL DEPUTY RECEIVER OF BENEFIT  
LIFE INSURANCE COMPANY

**APPLICANT'S NOTICE OF SUBMISSION**

Pursuant to the terms of the Amended Order of Reference to Master entered by the District Court in this cause, the **Final Report and Application to Distribute Assets** is hereby set for written submission before the Special Master, Tom Collins, on **Monday, June 26, 2006**.

The Special Master has asked that the following rules be provided you:

1. Any objection must be filed with the Travis County District Clerk at least three (3) calendar days before the submission date.
2. A copy of any objection shall be served by such date on:
  - (a) The Special Master's Docket Clerk, Ms. Jean Sustaita, Texas Department of Insurance, **(Hand Delivery)** 333 Guadalupe, Hobby Tower III, Room 550, MC-305-1D, Austin, Texas; or **(Mail To)** P.O. Box 149104, Austin, Texas 78714-9104;
  - (b) All interested parties, including those listed on the Applicant's Certificate of Service.
3. The written objection must specifically list all reasons for objection with supporting references to and discussion of statutory and case authorities. Reasons not stated in writing will not be considered orally.
4. If a matter is set for submission, an objecting party shall expeditiously coordinate with Applicant's counsel and the master's docket clerk [(512) 463-6450] to obtain an oral hearing, unless the master determines that an oral hearing is not necessary. The objecting party shall serve a Notice of Oral Hearing on applicant's counsel and all interested parties, including those listed on the Applicant's Certificate of Service.
5. Failure to file timely a written objection before the Special Master constitutes a waiver of the right to object to the Special Master's recommendation to the District Court.
6. Any Acknowledgment of Notice and Waiver to be filed by the Guaranty Association or other interested party should be filed at least (3) calendar days before the submission or hearing date.

  
\_\_\_\_\_  
Rachel Stroud

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served on all counsel of record in accordance with TEX. INS. CODE §21A.007(d) and the Texas Rules of Civil Procedure this 31st day of May, 2006.

Mr. Tom Collins  
Special Master  
Texas Department of Insurance  
333 Guadalupe, Tower III  
Rm. 550, MC-305-1D  
Austin, Texas 78701

Ms. Myra Garrett  
Liquidation Oversight Analyst  
Texas Department of Insurance  
333 Guadalupe, Tower III  
5th Floor, MC-305-1D  
Austin, Texas 78701

Ms. Leanne Foster  
Legal & Compliance  
Texas Department of Insurance  
333 Guadalupe, Tower I  
8th Floor, MC-110-1A  
Austin, Texas 78701

Ms. Jackie Rixen  
Texas Life, Accident, Health &  
Hospital Service Insurance Guaranty Assoc.  
c/o Law Office of Jacqueline Rixen  
400 W. Fourteenth St., Suite 100  
Austin, Texas 78701

Mr. J. Ashley Moore  
Taylor, Porter, Brooks & Phillips, L.L.P.  
P.O. Box 2471  
Baton Rouge, LA 70821

Mr. James O. Boyd  
USDA - Associate Regional Attorney  
101 South Main, Ste. 102  
Temple, Texas 76501

Mr. Larry H. Kunin  
Morris, Manniny & Martin, LLC  
3343 Peach Tree Rd. N.E., Suite 1600  
Atlanta, Georgia 30326

Mr. John Walter  
G. E. Capital  
635 Maryville Centre Dr., Suite 120  
St. Louis, MO 63141-9025

Mr. Bill Mahone  
First Savings Bank FSB  
301 South Center St., Ste. 120  
Arlington, Texas 76010

United States Attorney General  
Civil Process Clerk  
601 N.W. Loop 410, Suite 600  
San Antonio, Texas 78216-5597

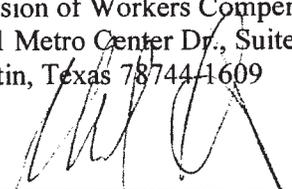
United States Attorney General  
10<sup>th</sup> and Constitution Avenue, N.W.  
Washington, D.C. 20530

Chief of Special Procedures Staff  
U.S. Internal Revenue Service  
300 East 8<sup>th</sup> Street, Suite 352  
Austin, Texas 78701

Chief of Special Procedures Staff  
U.S. Internal Revenue Service  
1111 Constitution Avenue, N.W.  
Washington, D.C. 20224

Ms. Jennifer Blackwell  
Commercial Litigation Branch  
Civil Division  
Department of Justice  
Washington, D.C. 20224

Mr. Craig H. Smith  
Deputy General Counsel  
Texas Department of Insurance  
Division of Workers Compensation  
7551 Metro Center Dr., Suite 100  
Austin, Texas 78744-1609

  
\_\_\_\_\_  
Rachel Stroud

39A60-01

# COPY

NO. GV-002510

STATE OF TEXAS

§  
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§

IN THE DISTRICT COURT OF

VS.

TRAVIS COUNTY, TEXAS

BENEFIT LIFE INSURANCE COMPANY

353<sup>rd</sup> TH JUDICIAL DISTRICT

### INVENTORY OF KNOWN ASSETS

TO THE HONORABLE JUDGE OF THE COURT:

NOW COMES, Ernesto Garza, Special Deputy Receiver under contract to José Montemayor, Receiver of Benefit Life Insurance Company and in accordance with Texas Insurance Code art. 21.28, § 2(f) files the Inventory of Known Assets as of September 28, 2000. The Inventory of Known Assets is compiled from the books and records of the company as of the date the Special Deputy Receiver took possession and control of the premises and of the assets of the company and is attached hereto as Exhibit A.

Respectfully submitted,

RIEWE & WELCH, P.C.  
811 Barton Springs Rd., Suite 740  
Austin, Texas 78704  
Telephone: 512/482-9291  
Facsimile: 512/482-9211

By: *Steven R. Welch*

Steven R. Welch  
State Bar No. 21126600

Brian E. Riewe  
State Bar No. 16915600

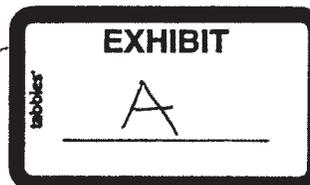
ATTORNEYS FOR SPECIAL DEPUTY RECEIVER

**FILED #10**

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DISTRICT CLERK  
TRAVIS COUNTY, TEXAS



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing has been served upon the following parties in accordance with the Texas Rules of Civil Procedure on this the \_\_\_\_\_ day of March, 2001.

Mr. Tom Collins  
Special Master  
Texas Department of Insurance  
333 Guadalupe, Tower III  
Rm 550, MC-305-1D  
Austin, Texas 78701

Ms. Jackie Rixen  
Texas Life, Accident, Health &  
Hospital Service Insurance Guaranty Assoc.  
% Gilman, Nicholas, Hebner & Rixen, P.C.  
812 San Antonio, Suite 201  
Austin, Texas 78701-2224

Mr. Richard Reed  
Texas Department of Insurance  
Liquidation Oversight  
333 Guadalupe, Tower III  
5th Floor, MC-305-1D  
Austin, Texas 78701

Mr. James Kennedy  
Texas Department of Insurance  
Legal and Compliance  
333 Guadalupe, Tower I  
9th Floor, MC-110-1A  
Austin, Texas 78701

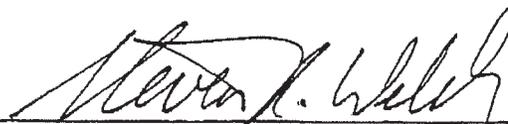
Mr. John H. Broussard  
RBS Program Director  
USDA. Rural Development  
3727 Government Street  
Alexandria, Louisiana 71302

Mr. Eddie Trevino  
USDA, Farm Service Agency  
P.O. Box 2900  
College Station, Texas 77841

Mr. Pat Liles, Chief  
USDA - RBS  
101 South Main, Ste 102  
Temple, Texas 76501

Mr. Lewis E. Hassett  
Morris, Manniny & Martin, LLC  
3343 Peach Tree Rd., Suite 1600  
Atlanta, Georgia 30326

Mr. J. Ashley Moore  
Taylor, Porter, Brooks & Phillips, L.L.P.  
P.O. Box 2471  
Baton Rouge, LA 70821



Steven R. Welch

BENEFIT LIFE INSURANCE CO. IN RECEIVERSHIP  
SUPPORTING SCHEDULE INVENTORY OF ASSETS

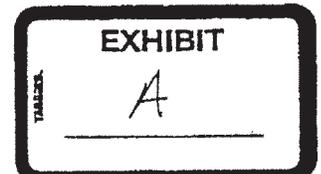
CASH

SEPTEMBER 28, 2000

<u>DEPOSITORY</u>	<u>ACCOUNT NUMBER</u>	<u>BALANCE</u>
Preston National Bank	117945	\$54,779.57
Preston National Bank	106351	17,320.34
Pavillion Bank	55020	138,549.19
Pavillion Bank	49072	64,967.50
Pavillion Bank	52456	198,507.09
Pavillion Bank	52407	115.99
Pavillion Bank	49577	4,046.94
Paine Weber	47584YA	12,625.42
Gibraltar Savings	1M025191HU	1.80
Daine Rauscher	110114784414	37,076.96
Compass Bank	770327864	1,128.98
Texas Community Bank		12.28
Petty Cash		149.51
North Dallas Bank & Trust	3104171	<u>53,685.94</u> **
<b>TOTAL CASH:</b>		<b><u>\$582,967.51</u></b>

\*\* Note: The \$53,685.94 consists of funds which relate to an unfunded loan balance with Quantum Geophysical in the amount of \$49,943.07, the remainder representing earned interest on this account.

Not included on the six month inventory is \$1,588,982.16 of Bank One Trust Assets held there for the benefit of the beneficiary, Hannover Re. These assets consist of money markets, CDs, Bonds, T-Bills, Preferred Stock and Common Stock. A final reconciliation of reinsurance amounts due will have to be conducted in order to determine what portion of the trust is for the benefit of Hannover Re.



**BENEFIT LIFE INSURANCE CO. IN RECEIVERSHIP  
SUPPORTING SCHEDULE INVENTORY OF ASSETS**

**MORTGAGE LOAN ASSETS/COLLATERALIZED  
LOAN LENDERS GUARANTY/MORTGAGE  
PROTECTIVE ADVANCES**

**SEPTEMBER 28, 2000**

<u>NAME OF MORTGAGES/COLLATERALIZED LOAN LENDERS GUARANTY/MORTGAGE PROTECTIVE ADVANCES</u>	<u>AMOUNT</u>
Fresh Freeze Capitalized Expense	\$ 59,361.07
Gulf Inland Mortgage	47,400.00
Collateralized Loan Lenders Guaranty Corvin	106,800.00
Collateralized Loan Lenders Guaranty Myers	16,904.16
Gomax Foods Protective Advance	50,434.60
Kermit Schneider Protective Advance	4,698.99
Johnny Graham Protective Advance	5,122.90
Gulf Inland Protective Advance	<u>161,434.00</u>
<b>SUBTOTAL MORTGAGES/COLLATERALIZED LOANS LENDERS GUARANTY/MORTGAGE PROTECTIVE ADVANCES:</b>	<b>\$452,155.72</b>
<b>LESS: RESERVE FOR COLLECTION:</b>	<b><u>(452,155.72)</u></b>
<b>TOTAL MORTGAGES/COLLATERIALIZED LOANS LENDERS GUARANTY/MORTGAGE PROTECTIVE ADVANCES:</b>	<b><u>0.00</u></b>

The mortgages are reflected on this six month inventory at net due to Benefit Life, which Benefit Life as lead lender usually retained a 5% or 10% interest which was then usually assigned to Hannover Re for their trust leaving Benefit Life with no interest. The total dollar amount of mortgages accounted for on Benefit Life's Balance Sheet are \$19,002,976.90, less participations of \$17,924,870.26, less mortgages assigned to Hannover Re of \$971,345.55. The balance of these items is \$108,361.07 which is the total of Benefit's interest in Gulf Inland and the Fresh Freeze Capitalized Expense.

The mortgage protective advances are due to Benefit Life prior to any distribution to any secured creditors filing claims such as participants.

**BENEFIT LIFE INSURANCE CO. IN RECEIVERSHIP  
SUPPORTING SCHEDULE INVENTORY OF ASSETS**

**REAL ESTATE OWNED/REAL ESTATE  
PROTECTIVE ADVANCES**

**SEPTEMBER 28, 2000**

<u>REAL ESTATE OWNED/REAL ESTATE PROTECTIVE ADVANCES</u>	<u>AMOUNT</u>
Foreclosed Real Estate Quinlan Oaks	\$ 87,260.62
Foreclosed Real Estate Burgy Miller	76,461.52
Protective Advance Agriboard	196,877.96
Protective Advance Rawls	950.00
Distribution from Rawls liquidation held	<u>8,644.50</u>
<b>SUBTOTAL REAL ESTATE OWNED/REAL ESTATE PROTECTIVE ADVANCES:</b>	<b>370,194.60</b>
<b>LESS: RESERVE FOR COLLECTION:</b>	<b><u>(370,194.60)</u></b>
<b>TOTAL REAL ESTATE OWNED/REAL ESTATE PROTECTIVE ADVANCES:</b>	<b><u>0.00</u></b>

Note: Both Quinlan Oaks and Burgy Miller are reflected at net due Benefit Life. The protective advances due for Agriboard and Rawls should be payable prior to any distribution to secured creditors. The distribution from Rawls liquidation held are the estimated funds that will be due to Benefit life for their 10% ownership of the liquidated mortgage.

The REO is reflected at net ownership to Benefit Life, which usually represented a 5% or 10% interest in the original loan, which was then usually assigned to Hannover as a component of the trust. The total amount of Real Estate Owned accounted for on Benefit Life's books and records is actually \$2,830,501.44 in Real Estate Owned, less Participations of \$2,358,332.44, less assignments to Hannover Re as part of trust of \$308,446.86. The total of these amounts is equal to \$163,722.14, which is the amount reflected in the six month inventory for Quinlan Oaks and Burgy Miller.

BENEFIT LIFE INSURANCE CO. IN RECEIVERSHIP  
SUPPORTING SCHEDULE INVENTORY OF ASSETS

FURNITURE FIXTURES AND EQUIPMENT

SEPTEMBER 28, 2000

<u>TYPE OF EQUIPMENT</u>	<u>AMOUNT</u>
Computer/EDP Equipment	\$ 48,959.06
Furniture & Fixtures	<u>14,317.89</u>
<b>SUBTOTAL FF &amp; E:</b>	<b>\$ 63,276.95</b>
<b>LESS: RESERVE FOR COLLECTION:</b>	<b><u>(58,779.45)</u></b>
<b>TOTAL FURNITURE, FIXTURES &amp; EQUIPMENT:</b>	<b><u>4,497.50</u></b>

Note: The FF&E is reflected net of depreciation on the books and records of Benefit Life Insurance Co. in Receivership. The full amount is reserved due to the estimated recovery being significantly less than the book value of the asset.

**BENEFIT LIFE INSURANCE CO. IN RECEIVERSHIP  
SUPPORTING SCHEDULE INVENTORY OF ASSETS**

**REINSURANCE**

**SEPTEMBER 28, 2000**

<u>NAME OF REINSURER</u>	<u>AMOUNT</u>
Reinsurance Recoverable Hannover Re:	\$ 1,687,815.00
Reinsurance Recoverable Innovative Re:	<u>43,818.22</u>
<b>SUBTOTAL REINSURANCE RECOVERABLE:</b>	1,731,633.22
<b>LESS: RESERVE FOR COLLECTION:</b>	<u>(1,687,815.00)</u>
<b>TOTAL REINSURANCE RECOVERABLE:</b>	<b>\$ 43,818.22</b>

**BENEFIT LIFE INSURANCE CO. IN RECEIVERSHIP  
SUPPORTING SCHEDULE INVENTORY OF ASSETS**

**OTHER ASSETS**

**SEPTEMBER 28, 2000**

<u>TYPE OF ASSET</u>	<u>AMOUNT</u>
Policy Loans	\$ 27,574.96
Recoverable from AAG	18,972.26
Recoverable from Pavillion Bank	211,912.43
Guaranty Fund Assessments	<u>14,311.66</u>
<b>SUBTOTAL OTHER ASSETS:</b>	<b>272,771.33</b>
<b>LESS: RESERVE FOR COLLECTION:</b>	<b><u>(245,814.40)</u></b>
<b>TOTAL OTHER ASSETS:</b>	<b><u>26,956.93</u></b>

Note: The policy loans consist of six identified policy loans. The recoverable from AAG is a TPA contract receivable. The recoverable from Pavillion Bank represents \$200,000.00 that was taken from a Pavillion Bank account in the name of Benefit Life under the assertion of banking offset rules. All of the receivables have been reserved until collection can be determined.

All other assets are being reserved at 100% with the exception of the policy loans which is reserved at \$618.03.

The Guaranty Fund assessments are not collectible as a cash receivable, they can only be used as an offset to premium taxes due on a premium tax return filed with the State Controller's Office.



**Benefit Life Insurance Company in Receivership  
Schedule of Unliquidated Assets**

1.	Chase Trust Account (to be assigned to Chase Bank)	\$ 335.26
	a). Certificate FHLMC 312907yc6	
	b). Certificate FHLMC 312905s52	
2.	Judgments	
	a) Gomax Foods, Inc. and Glen and Elizabeth Odom (to be assigned to the United States)	\$4,587,129.44
	b) Fresh Freeze, Inc. (to be assigned to the Commissioner)	\$3,075,902.68



**TRANSFER AND ASSIGNMENT OF KNOWN, NON-CASH ASSETS**

Date: \_\_\_\_\_, 2006.

Assignor: Mike Geeslin, Receiver of  
Benefit Life Insurance Company

Assignor's Mailing Address (including county): 333 Guadalupe Street  
Tower 1, 13th Floor  
Austin, Travis County, Texas 75701

Assignee: United States of America

Assignee's Mailing Address (including county): 101 South Main, Ste. 351  
Temple, Bell County, Texas 76501

**Known Assets**

For value received, Assignor transfers and assigns all of his rights and interests, whether past, present, or future, if any, to the \$4,587,129.44 Final Summary Judgment against Gomax Foods, Inc., and Glenn and Elizabeth Odom, jointly and severally. Neither Assignor nor Assignor's successors or assigns shall have, claim or demand any right or title to any part thereof.

Mike Geeslin, Receiver of Benefit Life Insurance  
Company

By: \_\_\_\_\_  
Ernesto A. Garza, Special Deputy Receiver

STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS     §

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2006, came before me Ernesto A. Garza, Special Deputy Receiver of Benefit Life Insurance Company, who, after being duly sworn, stated and acknowledged before me that he has read the above document and that he has signed the above document for the considerations and purposes and in the capacity expressed in the document.

\_\_\_\_\_  
NOTARY PUBLIC - STATE OF TEXAS

**TRANSFER AND ASSIGNMENT OF ALL ASSETS, KNOWN AND UNKNOWN**

Date: \_\_\_\_\_, 2006

Assignor: Mike Geeslin, Receiver of  
Benefit Life Insurance Company

Assignor's Mailing Address (including county): 333 Guadalupe Street  
Tower 1, 13th Floor  
Austin, Travis County, Texas 78701

Assignee: Mike Geeslin, Commissioner of Insurance  
Texas Department of Insurance

Assignee's Mailing Address (including county): 333 Guadalupe Street  
Tower I, 13<sup>th</sup> Floor  
Austin, Travis County, Texas 78701

**Known Assets**

For value received, Assignor transfers and assigns all of his rights and interests, whether past, present, or future, if any, in to \$3,075,902.68 Final Summary Judgment against Fresh Freeze, Inc. Neither Assignor nor Assignor's successors or assign shall have, claim or demand any right or title to any part thereof.

**Unknown Assets**

For value received, Assignor transfers his right, title and interest, if any, in and to all unknown, non-cash assets in the Benefit Life Insurance Company's receivership estate to Assignee, or his successors, to be handled in trust in accordance with Texas Insurance Code § 21A.352, and neither Assignor nor Assignor's successors or assigns shall have, claim or demand any right or title to such assets or any part thereof.

Mike Geeslin, Receiver of  
Benefit Life Insurance Company

By: \_\_\_\_\_  
Ernesto A. Garza, Special Deputy Receiver of  
Benefit Life Insurance Company

STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS       §

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2006, came before me Ernesto A. Garza, Special Deputy Receiver of Benefit Life Insurance Company, who, after being duly sworn, stated and acknowledged before me that he has read the above document and that he has signed the above document for the considerations and purposes and in the capacity expressed in the document.

\_\_\_\_\_  
NOTARY PUBLIC - STATE OF TEXAS

BENEFIT LIFE INSURANCE COMPANY IN RECEIVERSHIP  
Balance Sheet  
April 30, 2006

Assets		
Cash assets		
Operating account	\$32,875	
Texas Treasury account	<u>4,454,622</u>	
Total assets		<u><u>\$4,487,497</u></u>
Liabilities and Equity		
Class 1 creditors		
Administrative claims- state and receiver		
Special Deputy Receiver and subcontractor fees & expenses	\$6,602	
Liquidation Oversight and Special Master's fees	883	
Closing budget	35,980	
LAE- guaranty associations	<u>409,111</u>	
Total Class 1 creditors		\$452,576
Class 2 creditors		
Loss claims- guaranty associations		
Loss claims paid	2,438,614	
Loss claims- other		
Reserves	<u>54,713</u>	
Total Class 2 creditors		2,493,327
Class 5 creditors		
General unsecured creditor claims	49,101	
Assumed reinsurance related unsecured claims	<u>3,740,116</u>	
Total Class 5 creditors		<u>3,789,217</u>
Total liabilities		6,735,120
Accumulated equity (deficit)		<u>(2,247,623)</u>
Total liabilities and equity		<u><u>\$4,487,497</u></u>

BENEFIT LIFE INSURANCE COMPANY IN RECEIVERSHIP  
Sources & Uses of Funds  
September 28, 2000 through April 30, 2006

Sources

Operational receipts		
Premium receipts	\$3,598	
Settlements	106,510	
Proceeds from sale of real or personal property	819,299	
Reinsurance recoveries	2,660,957	
Salvage and subrogation recoveries	18,923	
Other receipts- cash transfers in (1)	10,535,024	
Other receipts- miscellaneous	770,847	
Total operational receipts	\$14,915,158	
Passive income		
Interest and dividend receipts	763,152	
Total passive income	763,152	
Total sources		\$15,678,310

Uses

Operational disbursements		
Special Deputy Receiver and consulting fees & expenses	504,931	
Legal fees & expenses	326,461	
Other disbursements- cash transfers out (2)	8,186,837	
Other disbursements- miscellaneous	91,057	
Total operational disbursements	9,109,286	
Investment expenses		0
Cash distributions		
Loss/ benefit payments - non guaranty associations	2,441,056	
Total cash distributions	2,441,056	
Total uses		11,550,342
Net increase in cash		\$4,127,968

Cash at beginning of period	\$359,529
Cash at end of period	4,487,497
Net increase in cash	\$4,127,968

- (1) Represents mortgage loan and real estate funds received on behalf of Class I secured creditor participants.
- (2) Represents mortgage loan and real estate funds disbursed to Class I secured creditor participants.

R-507

**Benefit Life Insurance Company in Receivership  
Estimate of Closing Expenses**

Description	May 2006	June 2006	July 2006	Aug. 2006	Total
<b>Estimate of SDR Fees</b>					
SDR Administration and Accounting	5,050.00	3,350.00	3,350.00	5,050.00	16,800.00
Total Estimated SDR Fees	5,050.00	3,350.00	3,350.00	5,050.00	16,800.00
<b>Estimate of Subcontractor Fees</b>					
Warren Group – Tax Return		1,850.00		1,850.00	3,700.00
Stroud & Welch – Legal	6,180.00	1,029.00	2,611.00	2,880.00	12,700.00
Safesite, Inc.	170.00	170.00	170.00	-0-	510.00
Total Estimated Subcontractor Fees	6,350.00	3,049.00	2,781.00	4,730.00	16,910.00
<b>Estimate of TDI Fees</b>					
Liquidation Oversight	350.00	350.00	350.00	350.00	1,400.00
TSL Records Storage				270.00	270.00
Total Estimated TDI Fees	350.00	350.00	350.00	620.00	1,670.00
<b>Estimate of Misc. Expenses</b>					
Bank Charges	100.00	100.00	100.00	100.00	400.00
Special Master		100.00		100.00	200.00
Total Estimated Misc. Expenses	100.00	200.00	100.00	200.00	600.00
<b>Total Estimated Budget</b>	<b>11,850.00</b>	<b>6,949.00</b>	<b>6,581.00</b>	<b>10,600.00</b>	<b>35,980.00</b>

**BENEFIT LIFE INSURANCE COMPANY  
SECURED CREDITOR POC LOG**

POC #	CLAIMANT/PAYEE FIRST NAME	CLAIMANT/PAYEE LAST NAME	SBNTAX ID #	ADDRESS	STREET ADDRESS	CITY	STATE	ZIP	CLAIM TYPE	CLASS	AMOUNT CLAIMED	PROCEEDS FROM COLLATERAL	ATTORNEY	ATTORNEY ADDRESS	ATTORNEY CITY	ATTORNEY STATE	ATTORNEY ZIP	COMMENTS		
S-0001	HEAD & ENDOQUIST EQUIPMENT, LLC		72-05494846	P. O. BOX 52945		BATON ROUGE	LA	70892	OTHER	Withdrawn	\$381,438.43	POC Withdrawn	J. ASHLEY MOORE	P. O. BOX 2471	BATON ROUGE	LA	70821	POC Withdrawn Paid out of Court Inland Bankruptcy Proceeding		
S-0002	FIRST BANK & TRUST		75-0430887	P. O. BOX 100		MEMPHIS	TX	79245	RE	1	Unstated	73,805.59						Court Approved Settlement		
S-0003	FIRST SAVINGS BANK		75-2072785	301 SOUTH CENTER ST.	SUITE 120	ARLINGTON	TX	76010	SECURED	1	\$3,181,837.05	1,854,822.80						Court Approved Settlement		
S-0003-01	FIRST SAVINGS BANK		75-2072785	301 SOUTH CENTER ST.	SUITE 120	ARLINGTON	TX	76010	RE	1	Unstated	\$,478.50						Court Approved Settlement		
S-0004	FEDERAL AGRICULTURAL MORT. CORP.			919 18TH ST., NW	SUITE 200	WASHINGTON DC		20008	SECURED	1	\$207,788.02	247,248.54		OFFICE OF GENERAL COUNSEL	101 S. MAIN ST., SUITE 351	TEMPLE	TX	76501-7686	Federal Agricultural Mort. Corp./Colon POC assigned to USDA	
S-0005	ANDROSCOGGIN BANK		1-0020240	P. O. BOX 1407		LEWISTON	ME	04243-1407	SECURED	1	\$297,247.48	USDA Payment included with POC #15							Payment included to USDA in POC #15	
S-0008	PARISH SHERIFFS DEPT.		72-8001487	P. O. BOX 744		OAK GROVE	LA	71283	SECURED	Withdrawn	\$500.78	POC Withdrawn	BARRY HERSH, OFFICE OF GENERAL COUNSEL		LITTLE ROCK	AR			POC Withdrawn Tax Lien Cancellation	
S-0009	USDA FARM SERVICE AGENCY		72-0564834F	3737 GOVERNMENT ST.		ALEXANDRIA	VA	71302	SECURED	1	\$154,060.35	111,443.84							Court Approved Settlement	
S-0010	USDA FARM SERVICE AGENCY		72-0564834F	3737 GOVERNMENT ST.		ALEXANDRIA	VA	71302	SECURED	1	\$97,338.48	71,730.44							Court Approved Settlement	
S-0011	USDA RURAL DEVELOPMENT		72-0564834	RBS	3737 GOVERNMENT ST.	ALEXANDRIA	VA	71302	OTHER	1	\$2,821,820.12	356,419.99		BARRY HERSH	3201 FEDERAL BLDG.	ROCK	AR	72201	Court Approved Settlement	
S-0012	USDA RURAL DEVELOPMENT		72-0564834	RBS	3737 GOVERNMENT ST.	ALEXANDRIA	VA	71302	SECURED	1	\$1,607,096.34	4,584,043.65		BARRY HERSH	3201 FEDERAL BLDG.	ROCK	AR	72201	Court Approved Settlement	
S-0013	USDA RURAL DEVELOPMENT		72-0574834	RBS	3737 GOVERNMENT ST.	ALEXANDRIA	VA	71302	OTHER	1	\$2,819,298.08	POC #12		BARRY HERSH	3201 FEDERAL BLDG.	ROCK	AR	72201	Court Approved Settlement	
S-0014	USDA FARM SERVICE AGENCY			P. O. BOX 2800		COLLEGE STATION	TX	77841	SECURED	1	\$229,338.31	70,349.61		OFFICE OF GENERAL COUNSEL	101 S. MAIN ST., SUITE 351	TEMPLE	TX	76501-7686	Court Approved Settlement	
S-0015	USDA FARM SERVICE AGENCY			P. O. BOX 2800		COLLEGE STATION	TX	77841	SECURED	1	\$284,881.38	289,843.41		OFFICE OF GENERAL COUNSEL	101 S. MAIN ST., SUITE 351	TEMPLE	TX	76501-7686	Court Approved Settlement	
S-0016	USDA RURAL BUSINESS-COOPERATIVE SERVICE			101 SOUTH MAIN ST., SUITE 102	FEDERAL BUILDING	TEMPLE	TX	76501	SECURED	1	\$1,945,787.55	93,198.87		OFFICE OF GENERAL COUNSEL	101 S. MAIN ST., SUITE 351	TEMPLE	TX	76501-7686	Court Approved Settlement	
S-0017	USDA RURAL BUSINESS-COOPERATIVE SERVICE			101 SOUTH MAIN ST., SUITE 102	FEDERAL BUILDING	TEMPLE	TX	76501	SECURED	1	\$2,253,415.00	57,790.59		OFFICE OF GENERAL COUNSEL	101 S. MAIN ST., SUITE 351	TEMPLE	TX	76501-7686	Court Approved Settlement	
S-0018	USDA RURAL BUSINESS-COOPERATIVE SERVICE			101 SOUTH MAIN ST., SUITE 102	FEDERAL BUILDING	TEMPLE	TX	76501	SECURED	1	\$1,018,448.80	19,575.97		OFFICE OF GENERAL COUNSEL	101 S. MAIN ST., SUITE 351	TEMPLE	TX	76501-7686	Court Approved Settlement	
S-0019	USDA RURAL BUSINESS-COOPERATIVE SERVICE			101 SOUTH MAIN ST., SUITE 102	FEDERAL BUILDING	TEMPLE	TX	76501	SECURED	1	\$2,320,198.81	0		OFFICE OF GENERAL COUNSEL	101 S. MAIN ST., SUITE 351	TEMPLE	TX	76501-7686	USDA	
S-0020	USDA RURAL BUSINESS-COOPERATIVE SERVICE			101 SOUTH MAIN ST., SUITE 102	FEDERAL BUILDING	TEMPLE	TX	76501	SECURED	1	\$2,835,759.13	1,118,855.23		OFFICE OF GENERAL COUNSEL	101 S. MAIN ST., SUITE 351	TEMPLE	TX	76501-7686	Court Approved proceeds from Collateral after collateral expenses	
S-0021	TAX ASSESSOR-COLLECTOR			P. O. BOX 1042		GREENVILLE	TX	75403-1042	SECURED	Withdrawn	\$12,741.03	POC Withdrawn	JEFFREY K. BROWN	P. O. BOX 17428	AUSTIN	TX	78760		Tax Lien Withdrawn Paid from Sale Closing	
S-0022	GE CAPITAL SEF HELPER, INC.		383088088	635 MARYVILLE CTR. DR.	SUITE 120	ST. LOUIS	MO	63141	SECURED	1	\$507,600.42	5,578.48		KATHERINE KNOCKE	635 MARYVILLE CTR. DR., SUITE 120	ST. LOUIS	MO	63141	Proceeds from Collateral after collateral expenses	
S-0023	HAYDEN, PATRICK & HORN		72-1421930	650 POYDRAS ST.	SUITE 2500	NEW ORLEANS	LA	70130	UNSECURED	5	\$23,818.58								Moved POC to Unsecured Creditor List	
S-0024	HANNOVER LIFE REASSURANCE CO OF AMERICA		59-2559787	800 NORTH MAGNOLIA AVE.	SUITE 1400	ORLANDO	FL	32803	OTHER	1	Unstated	\$15,981.87		LENNIS E. WASSER, FIDELITY & PERDUE	3549 PEACHTREE RD. NE, SUITE 1800	ATLANTA	GA	30328	Trust distribution	
S-0025	WICHITA COUNTY		75-8001188	P. O. BOX 1471		WICHITA FALLS	TX	76707-1471	SECURED	Rejected	\$4,919.72								Rejection Letter Dated 1/27/03	
S-0026	CITY OF ELECTRA		75-8006598	101 N. MAIN		ELECTRA	TX	76890	SECURED	Rejected	\$9,490.95									Rejection Letter Dated 1/27/03
S-0027	ELECTRA ISD		75-8001371	621 N. WAGGONER		ELECTRA	TX	76890	SECURED	Rejected	\$18,188.20									Rejection Letter Dated 1/27/03

BENEFIT LIFE INSURANCE COMPANY  
SECURED CREDITOR POC LOG

POC #	CLAIMANT/PAYEE FIRST NAME	CLAIMANT/PAYEE LAST NAME	SSN/TAX ID #	ADDRESS	STREET ADDRESS	CITY	STATE	ZIP	CLAIM TYPE	CLASS	AMOUNT CLAIMED	PROCEEDS FROM COLLATERAL	ATTORNEY PERDUE, BRANDON, FIELDER, COLLINS & MOTT	ATTORNEY ADDRESS	ATTORNEY CITY	ATTORNEY STATE	ATTORNEY ZIP	COMMENTS	
S-0028	ELECTRA HOSPITAL DISTRICT	ELECTRA HOSPITAL DISTRICT	75-6219138	1207 S. BAILEY ST.		ELECTRA	TX	76360	SECURED	Rejected	\$2,971.47			P. O. BOX 8188	WICHITA FALLS	TX	76307-8188	Rejection Letter Dated 1/27/03 Moved POC to Unsecured with POC# 4	
S-0029	BANK OF CORDELL	TRIA THE STATE BANK OF ROCKY	73-0466960	P. O. BOX 440		CORDELL	OK	73632	SECURED	1	\$40,172.80	UBDWPS/2/ POC# 4							
S-0030	RICHARDSON ISD	RICHARDSON ISD		P. O. BOX 830626		RICHARDSON	TX	73083	SECURED	5	\$1,347.02				ARLINGTON	TX	76094-0430	Moved POC to Unsecured Creditor List	
											\$22,755,801.95	\$ 9,578,422.89							

BENEFIT LIFE INSURANCE COMPANY  
UNSECURED CREDITOR POC LOG

POC #	CLAIMANT/PAYEE FIRST NAME	CLAIMANT/PAYEE LAST NAME	SSN/TAX ID	ADDRESS	CITY	STATE	ZIP	CLAIM TYPE	CLASS	AMOUNT RECEIVED	CLASS 1 APPROVED	CLASS 2 APPROVED	CLASS 5 APPROVED	REJECTED AMOUNT	CLASS 5 PRO-RATA DISTRIBUTION %	ATTORNEY	ATTORNEY ADDRESS	ATTORNEY CITY	ATTORNEY STATE	ATTORNEY ZIP	COMMENTS
U-0001	STEPHANIE	SOMERVILLE	461-04-4287	1802 CR 1286 1816 S	FLINT	TX	75762	ANNUITY 2	2	\$33,535.87	409,111.00	351,852.21			40.9857%						
U-0002	DREW	HUBBARD	464-34-7834	COMMERCIAL	COLEMAN	TX	76834	OTHER	5	\$684.60					\$278.52						
U-0003	INSURANCE HEALTH & HOSPITAL SERVICE	ASSOCIATION	74-8252674	301 CONGRESS AVE, SUITE 500	AUSTIN	TX	78701	IGA-CLMS EXP	1	Unstated						JACQUELINE RIXEN	812 SAN ANTONIO, SUITE 201	AUSTIN	TX	78701-2224	As per Settlement
U-0004	INSURANCE HEALTH & HOSPITAL SERVICE	ASSOCIATION	74-8252674	301 CONGRESS AVE, SUITE 500	AUSTIN	TX	78701	IGA-CLMS PMT	2	Unstated						JACQUELINE RIXEN	812 SAN ANTONIO, SUITE 201	AUSTIN	TX	78701-2224	As per Settlement
U-0005	INSURANCE HEALTH & HOSPITAL SERVICE	ASSOCIATION	74-8252674	301 CONGRESS AVE, SUITE 500	AUSTIN	TX	78701	OTHER-UNPAID ASSESS	5	\$8,977.00				\$116.00	\$3,904.98	JACQUELINE RIXEN	812 SAN ANTONIO, SUITE 201	AUSTIN	TX	78701-2224	
U-0006	OPTIMUM RE INSURANCE CO		75-1808507	3434 FAIRMONT ST.	DALLAS	TX	75219	OTHER-UNPAID PREM	5	\$5,279.43				5,279.43							
U-0007	RISK MANAGEMENT SPECILITIES		75-2879706	5005 SEYMOUR HWY.	WICHITA FALLS	TX	76710	ENVIR ASSESS MENT	5	\$3,189.86				3,189.86							
U-0008	AMTRUST, INC.	MARTIN	75-8315730	1001 PIONEER RD.	SHERIDAN	WY	82801	OTHER	9	\$425,373.51				\$425,373.51		ANN B. MARSHALL	1001 PIONEER RD.	SHERIDAN	WY	82801	POC Not Adjudicated Below Class 5
U-0009	GONZALEZ & MARIBEL		461-75-0988	2320 ZENaida AVE.	MC ALLEN	TX	78504	CLMS-NONPVM T OF BENEFIT	GA	\$115,910.23				\$115,910.23		ROY S. DALE	6301 N. 10TH ST.	MC ALLEN	TX	78504	
U-0010	CLARA PORTER	TRAVELER PARKS, DELARAY	428-82-2049	202 ATLANTIC	POTTSBORO	TX	75208	OTHER-LEGAL FEES	5	\$6,296.70				6,296.70							
U-0011	KENNETH W.	BAKER	3358 LAMARC	PLANO	TX	75023	ANNUITY 2		1,956.23												
U-0012	SHARON K.	BAKER	3358 LAMARC	PLANO	TX	75023	ANNUITY 2		209.22												
U-0013	MARTHA	BATES	P. O. BOX 1402	CIRCLE	ADDISON	TX	75001	ANNUITY 2		\$277.42											
U-0014	ELLEN LOWE	BLACKWELL	1121 SMILEY ST.	AMARILLO	TX	79106	ANNUITY 2		\$118.63												
U-0015	DOROTHY N.	COLLINS	714 BARBARA	ATHENS	TX	75751	ANNUITY 2		\$281.77												
U-0016	HAL & LINDA	COWAN	227 COX	SAN ANTONIO	TX	78223	ANNUITY 2		\$43.37												
U-0017	PRENTICE R.	CRISWELL	P. O. BOX 10	FORNEY	TX	75126	ANNUITY 2		\$767.57												
U-0018	JANICE	DAVILA SR	135 LIVELY DR	SAN ANTONIO	TX	78213	ANNUITY 2		\$847.16												
U-0019	HENRY	FOX	702 PARRIE CREEK DR.	RICHARDSON	TX	75080	ANNUITY 2		\$1,588.25												
U-0020	L. DENTON	KATZ	5234 LYMBAR DR	HOUSTON	TX	77068	ANNUITY 2		\$745.23												
U-0021	AARON I.	LOWE	4439 BOBBITT DR.	DALLAS	TX	75229	ANNUITY 2		\$51.81												
U-0022	KAREN	LOWE	4439 BOBBITT DR.	DALLAS	TX	75229	ANNUITY 2		\$145.87												
U-0023	PAUL R.	LOWE	4439 BOBBITT DR.	DALLAS	TX	75229	ANNUITY 2		\$1,185.88												
U-0024	L. DENTON	GRAYSON GENERAL PARTNERSHIP	4439 BOBBITT DR.	DALLAS	TX	75229	ANNUITY 2		\$257.16												
U-0025	PAUL ROSS	LOWE III	4439 BOBBITT DR.	DALLAS	TX	75229	ANNUITY 2		\$176.57												
U-0026	PAUL R. LOWE & MARY K. SIMPSON	MC MULLEN	4439 BOBBITT DR.	DALLAS	TX	75229	ANNUITY 2		\$1,907.23												
U-0027	ROSEMARY	MC CRAW	2701 BRAEMAR BEND	WACO	TX	76710	ANNUITY 2		\$769.26												
U-0028	BOBBY C.	RIGHTENOUR	P. O. BOX 398	CAULUSA	TX	75418	ANNUITY 2		\$73.19												
U-0029	JOHN E.	ROBBINS	415 CHAPARRAL	PLEASANTON	TX	78208	ANNUITY 2		\$21.37												
U-0030	DOROTHY L.								\$760.71												

\* Texas Life, Accident, Health and Hospital Service Guaranty Association filed POC for the annuities pursuant to Order of Receivability Court.

BENEFIT LIFE INSURANCE COMPANY  
UNSECURED CREDITOR POC LOG

POC #	CLAIMANT/PAYEE FIRST NAME	CLAIMANT/PAYEE LAST NAME	SSN/TAX ID #	ADDRESS	CITY	STATE	ZIP	CLAIM TYPE	CLASS	AMOUNT CLAIMED	CLASS 1 APPROVED	CLASS 2 APPROVED	CLASS 5 APPROVED	REJECTED AMOUNT	CLASS 5 PRO-RATA DISTRIBUTION @ 40.8537%	ATTORNEY ADDRESS	ATTORNEY CITY	ATTORNEY STATE	ATTORNEY ZIP	COMMENTS	
U-0032	W. KATHLEEN	SIMPSON		16077 CHALFONT PLACE 18482 COUNTY ROAD 1286 29426 GENEVA DR.	DALLAS	TX	75246	ANNUITY 2	2	\$1,368.32		1368.32								* POC filed by TLAHSIGA	
U-0033	KENNETH E.	SOMERVILLE		29426 GENEVA DR.	FLINT	TX	75762	ANNUITY 2	2	\$137.51		137.51									* POC filed by TLAHSIGA
U-0034	KENNETH L.	TANN		29426 GENEVA DR.	SPRING	TX	77386	ANNUITY 2	2	\$243.01		243.01									* POC filed by TLAHSIGA
U-0035	MARGARET G.	TANN		4399 MOSS TRAIL	SPRING	TX	77386	ANNUITY 2	2	\$243.01		243.01									* POC filed by TLAHSIGA
U-0036	S. RENEE	TATUM		1031 WEST MORTON	ZACHARY	LA	70791	ANNUITY 2	2	\$34.12		34.12									* POC filed by TLAHSIGA
U-0037	MADELL	WILSON		ROUTE 2 BOX 8	DENISON	TX	75020	ANNUITY 2	2	\$1,672.04		1,672.04									* POC filed by TLAHSIGA
U-0038	JOSEPHINE	BORGMAN		8415 TIMBERLEAF DRIVE	HENRIETTA	TX	76385	ANNUITY 2	2	\$183.29		183.29									* POC filed by TLAHSIGA
U-0039	GARY W.	BRUCE		809 RUNYMEADE	DALLAS	TX	75243	ANNUITY 2	2	\$4.10		4.10									* POC filed by TLAHSIGA
U-0040	VIRGINIA	CHANNELL		11707 SPRING VISTA	KELLER	TX	76248	ANNUITY 2	2	\$143.83		143.83									* POC filed by TLAHSIGA
U-0041	CHRISTOPHER	COLEMAN		1000 E. ASH LAKE #409	HOUSTON	TX	77070	ANNUITY 2	2	\$29.69		29.69									* POC filed by TLAHSIGA
U-0042	CARY	DAVISSON		2001 SPRINGMILL ROAD	EULESS	TX	76039	ANNUITY 2	2	\$2.86		2.86									* POC filed by TLAHSIGA
U-0043	SHERRI	DUGGAN		6636 RUBY ST. NE	MESQUITE	TX	75181	ANNUITY 2	2	\$30.14		30.14									* POC filed by TLAHSIGA
U-0044	KEITH	GREGORY		2528 SHILOH ST. #177	ALBUQUERQUE	NM	87109	ANNUITY 2	2	\$59.06		59.06									* POC filed by TLAHSIGA
U-0045	AMANDA	JONES		216 FORBIS STREET	TYLER	TX	75703	ANNUITY 2	2	\$30.19		30.19									* POC filed by TLAHSIGA
U-0046	DAVID L.	KIRKPATRICK		7101/2 CHARIONA	LADONIA	TX	75449	ANNUITY 2	2	\$360.00		360.00									* POC filed by TLAHSIGA
U-0047	KIMBERLEY	LAWRENCE		2020 BELMONT AVENUE	BAKERSFIELD	CA	93336	ANNUITY 2	2	\$30.49		30.49									* POC filed by TLAHSIGA
U-0048	AMY M.	LEGG		423 CRISTLER AVENUE	TYLER	TX	75701	ANNUITY 2	2	\$360.50		360.50									* POC filed by TLAHSIGA
U-0049	ROBERTO J.	LIMA		16045 SHOSHONE	DALLAS	TX	75223	ANNUITY 2	2	\$6.17		6.17									* POC filed by TLAHSIGA
U-0050	COY D.	MARTIN		193 FOLK # 285	TYLER	TX	75703	ANNUITY 2	2	\$30.19		30.19									* POC filed by TLAHSIGA
U-0051	DEBORAH	MARTIN		3908 AVON VISTA DRIVE	COVE	AR	71837	ANNUITY 2	2	\$30.19		30.19									* POC filed by TLAHSIGA
U-0052	LISA	MATTICH		538 TOWER RD	PLANO	TX	75093	ANNUITY 2	2	\$3.70		3.70									* POC filed by TLAHSIGA
U-0053	FREDRICK J.	MCENANEY		7600NW 102ND ST.	MCCOGGOCHEES	TX	75861	ANNUITY 2	2	\$85.16		85.16									* POC filed by TLAHSIGA
U-0054	JASON	MCWILLIAMS		7332 CORAL SPRINGS	OKLAHOMA CITY	OK	73102	ANNUITY 2	2	\$28.50		28.50									* POC filed by TLAHSIGA
U-0055	JOSH	MCWILLIAMS		5928 POMPANO AVE	SAN ANTONIO	TX	78250	ANNUITY 2	2	\$28.50		28.50									* POC filed by TLAHSIGA
U-0056	NANCY	MUARES		7905 VICKSBURG	EL PASO	TX	79624	ANNUITY 2	2	\$51.47		51.47									* POC filed by TLAHSIGA
U-0057	DUANE L.	MITCHELL		7905 VICKSBURG	LUBBOCK	TX	79424	ANNUITY 2	2	\$1,313.20		1,313.20									* POC filed by TLAHSIGA
U-0058	PATRICIA L.	MITCHELL		100 LAS LOMAS SQUARE	LUBBOCK	TX	79424	ANNUITY 2	2	\$356.05		356.05									* POC filed by TLAHSIGA
U-0059	DANIEL	O'BRYAN		15 WESTRIDGE BLVD.	SAN ANGELO	TX	76904	ANNUITY 2	2	\$61.35		61.35									* POC filed by TLAHSIGA
U-0060	VIRGINIA J.	PALMER		3510 LANURY	PLAINVIEW	TX	79072	ANNUITY 2	2	\$72.86		72.86									* POC filed by TLAHSIGA
U-0061	JENNIFER	PRUITT		P.O. BOX 791	SPRING	TX	77376	ANNUITY 2	2	\$29.69		29.69									* POC filed by TLAHSIGA
U-0062	PAULA SUE	STANTON		RT. 1 BOX 15A	WHITEHOUSE	TX	75791	ANNUITY 2	2	\$30.19		30.19									* POC filed by TLAHSIGA
U-0063	JOHN	UNDERWOOD		1110 ROARING SPRINGS	DUBLIN	TX	78448	ANNUITY 2	2	\$22.54		22.54									* POC filed by TLAHSIGA
U-0064	ELWYN J.	VAUGHN		3110 COUNTY ROAD	ALLEN	TX	75002	ANNUITY 2	2	\$147.64		147.64									* POC filed by TLAHSIGA
U-0065	STEVEN	VAUGHN		18531 FONDREN GROVE DR.	GREENVILLE	TX	75402	ANNUITY 2	2	\$30.11		30.11									* POC filed by TLAHSIGA
U-0066	VIRGIL E. KEITH GREGORY SEPARATE PROPERTY TRUST	YOUNG		6636 RUBY ST. NE	MISSOURI CITY	TX	77489	ANNUITY 2	2	\$30.89		30.89									* POC filed by TLAHSIGA
U-0067	NANCY GREGORY SEPARATE PROPERTY TRUST	YOUNG		6636 RUBY ST. NE	ALBUQUERQUE	NM	87109	ANNUITY 2	2	\$78.67		78.67									* POC filed by TLAHSIGA
U-0068	NANCY GREGORY SEPARATE PROPERTY TRUST	YOUNG		6636 RUBY ST. NE	ALBUQUERQUE	NM	87109	ANNUITY 2	2	\$78.67		78.67									* POC filed by TLAHSIGA

\* Texas Life, Accident, Health and Hospital Services Insurance Guaranty Association filed POC for the accruals pursuant to Order of Receivables Court.

BENEFIT LIFE INSURANCE COMPANY  
UNSECURED CREDITOR POC LOG

POC #	CLAIMANT/PAYEE FIRST NAME LAST NAME	CLAIMANT/PAYEE SSN/TAX ID #	ADDRESS	CITY	STATE	ZIP	CLAIM TYPE	CLASS	AMOUNT CLAIMED	CLASS 1 APPROVED	CLASS 2 APPROVED	CLASS 5 APPROVED	REJECTED AMOUNT	CLASS 5 PRO-RATA DISTRIBUTION 40.6537%	ATTORNEY	ATTORNEY ADDRESS	ATTORNEY CITY	ATTORNEY STATE	ATTORNEY ZIP	COMMENTS	
U-0066	TEXAS AMATEUR RACQUETBALL ASSN		812 WOODSTOCK BELLAIRE TX 77401	BELLAIRE	TX	77401	ANNUITY 2	2	\$48.43		48.43									* POC filed by TLAH-SIGA	
U-0070	CHARLES E BROWN		1108 GROVE DEER PARK TX 77536	DEER PARK	TX	77536	ANNUITY 2	2	\$76.71		76.71									* POC filed by TLAH-SIGA	
U-0071	PATRICIA CREEK		8407 LOS RANCHOS DR. AUSTIN TX 78748	AUSTIN	TX	78748	ANNUITY 2	2	\$68.80		68.80									* POC filed by TLAH-SIGA	
U-0072	JOHN GREMILLION		ROUTE 2 BOX 2270 ATHENS TX 75751	ATHENS	TX	75751	ANNUITY 2	2	\$35.87		35.87									* POC filed by TLAH-SIGA	
U-0073	LAURA GUERRA		804 HAMMOND SAN ANTONIO TX 78210	SAN ANTONIO	TX	78210	ANNUITY 2	2	\$65.82		65.82									* POC filed by TLAH-SIGA	
U-0074	SANDRA K KHAN		CHICKERING RD., APT. 112 FT. WORTH TX 76116	FT. WORTH	TX	76116	ANNUITY 2	2	\$16.79		16.79									* POC filed by TLAH-SIGA	
U-0075	SPENCER W. RIDGWAY		7311 PIEDMONT APT. 18 DALLAS TX 75227	DALLAS	TX	75227	ANNUITY 2	2	\$20.29		20.29									* POC filed by TLAH-SIGA	
U-0076	LAURA G. ZAPATA		4304 18TH ST. LUBBOCK TX 79418	LUBBOCK	TX	79418	ANNUITY 2	2	\$20.96		20.96									* POC filed by TLAH-SIGA	
U-0077	SHELBY C. UNDERWOOD		712 BELMONT DRIVE 13184 MEMORIAL DRIVE #181 HOUSTON TX 77079	BRAUNFELS	TX	78130	ANNUITY 2	2	\$14.30		14.30									* POC filed by TLAH-SIGA	
U-0078	JANN J. FRANCIS				TX		ANNUITY 2	2	\$46.37		46.37									* POC filed by TLAH-SIGA	
U-0079	RUDOLFO J. GARIBAY		P.O. BOX 630825 RICHARDSON TX 75083	RICHARDSON	TX	75083	ANNUITY 2 PER PRO P. TAX	5	\$1,347.02		0	\$962.84	\$354.38	\$403.84	C. DAVID FIELDER	P.O. BOX 13430 ARLINGTON TX 76094	ARLINGTON TX	TX	76094-0430	Application letter sent 08/12/05	
U-0080	RICHARDSON ISD HELLER DRAPER HAYEN PATRICK & HORN		650 POYDRAS ST., SUITE 250 NEW ORLEANS LA 70130	NEW ORLEANS	LA	70130	LEGAL FEES	5	\$23,815.59			\$23,815.59	\$0	\$0						Court approved settlement Re filed a POC filed vest	
S-0024	HANNOVER LIFE REINSURANCE CO OF AMERICA	96-289797	900 NORTH MAGNOLIA AVE., SUITE 1400 ORLANDO FL 32803	ORLANDO	FL	32803	OTHER	5	Unsettled			\$,740,118.00		\$1,521,817.57	LEWIS E. HASSETT	3343 PEACHTREE RD. NE, SUITE 1800 ATLANTA GA 30328	ATLANTA GA	GA	30328	Indicated part accrued and unsecured	
	<b>Totals</b>								\$855,419.32	\$,409,111.00	\$2,493,326.63	\$3,769,216.81	\$551,984.73	\$1,641,594							

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BOX #	CATEGORY	DESCRIPTION	RETENTION PERIOD	RETENTION DATE	DISPOSITION
3	A4(A)	REINSURANCE TREATIES	AC		PD
4	A4(A)	RCH CORRESPONDENCE	PS		PD
5	A4(A)	RCH CORRESPONDENCE - MISCELLANEOUS	PS		PD
7	A3	TDI CORRESPONDENCE FILES, EXAM RPTS, IRS CORR, PROPERTY TAX STMTS	AC	9/28/2002	PD
8	A3/A4(C)	CORR W/AGENTS; SECURITY LIFE CORR, MTG NOTES, REQ FOR DOCS;AS 400 INFO	AC	9/28/2002	PD
9	A4(A)	USDA MISCELLANEOUS CORRESPONDENCE; MORTGAGE FILES PARTICIPATION AGMTS	PS	9/28/2002	PD
10	A4(A)	INCOMING MAIL/CURRENT MORTGAGE	PS		PD
11	A4(A)	LONDON LIFE FIDELITY BOND	PS		PD
12	A3	MORTGAGE LOAN FILES - AGRIBOARD INDUSTRIES - 1995 - 2000	AC	9/28/2002	PD
13	A4(A)	MORTGAGE LOAN INVESTOR/PARTICIPANTS PAYMENTS	AC/TR		PD
14	A3	MORTGAGE LOANS FILES - CLIPSON FARMS, BURG MILLER & BENT TREE LOTS 1992 - 2000	AC/TR	9/28/2002	PD
15	A3	MORTGAGE LOANS FILES - FRESH FREEZE - 1996 - 2000	AC/TR	9/28/2002	PD
16	A3	MORTGAGE LOANS FILES - GEMINI BIOTECH & GOMAX FOODS 1997 - 2000	AC/TR	9/28/2002	PD
17	A3	MORTGAGE LOANS FILES - GEMINI BIOTECH, GOMAX FOODS, & GULF INLAND - 1996-2000	AC/TR	9/28/2002	PD
18	A3	MORTGAGE LOANS FILES - GULF INLAND 1996-2000	AC/TR	9/28/2002	PD
19	A3	MORTGAGE LOANS FILES - GULF INLAND (BREAUX RELIABLE OILFIELD), JOHN GRAHAM & ROBERT KYLE-1996-2000	AC/TR	9/28/2002	PD
20	A3	MORTGAGE LOANS FILES - OFFSHORE CASING CREWS (1ST BOX) 1996 - 2000	AC/TR	9/28/2002	PD
21	A3	MORTGAGE LOANS FILES - OFFSHORE CASING CREWS (2ND BOX) 1995 - 2000	AC/TR	9/28/2002	PD
22	A4(A)	ADMINISTRATIVE AND REINSURANCE AGREEMENTS	AR + 4 YRS		PD
23	A3	MORTGAGE LOANS FILES - QUANTUM GEOPHYSICAL 1996 - 2000	AC/TR		PD
24	A3	MORTGAGE LOANS	AC/TR		PD
26	A4(A)	AAG CLAIMS RPTS & CORRESPONDENCE; REINSURANCE RPTS ON IRG; CLAIMS COMPLAINTS	PS/TR	9/28/2002	PD
27	A4(A)/A3	MORTGAGE FILES (BOLANS & MEYERS); DEBENTURES 1990-1998; TAX APPRAISALS 1996-1998	PS/TR/AC	9/28/2002	PD
28	A3	PREMIUM TAX RETURNS; 1098s & 1099s; WSA CORR FILE	PS/AC	9/28/2002	PD

EXHIBIT K

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BOX #	CATEGORY	DESCRIPTION	RETENTION PERIOD	RETENTION DATE	DISPOSITION
29	A1	RESERVES & RATE INCREASES	AC/TR		PD
31	A4(A)	NALICO, CONGRESS & BENEFIT 1995 REPORT BINDERS	PS	9/28/2002	PD
32	A3	BANK RECONCILIATIONS - SECURITY LIFE	AC	9/28/2002	PD
36	A2	BENEFIT LIFE CLAIM CHECK REGISTERS & MO END RPT FROM AAG	AC/TR/PS	9/28/2002	PD
37	A3	SECURITY LIFE CLAIM CHECK REGISTERS & MO END RPT FROM AAG	AC/TR/PS	9/28/2002	PD
38	A3	PREMIUM CASH FLOW REPORTS & HISTORY RPTS	AC	9/28/2002	PD
39	A4(A)	MORTGAGE FILES	PS/TR		PD
40	A4(A)	MORTGAGE FILES	PS/TR		PD
41	A4(A)	MORTGAGE FILES	PS/TR		PD
43	A3	SECURITY LIFE CORR FILE; HANNOVER RE CORR FILE; REINS FILES; PERSONNEL FILES	AC	9/28/2002	PD
44	A3	SECURITY LIFE & BENEFIT LIFE REINS FILES; 1098s & 1099s	AC	9/28/2002	PD
48	A3	RPTS FOR RATE INCREASES; CLAIMS RPTS & CHECK REG; ANNL STMT W/P	AC	9/28/2002	PD
219	A3	PREMIUM RECEIPTS/BANK DEPOSIT SLIP COPIES 1996	PS	9/28/2002	PD
224	A3	PREMIUM RECEIPTS/BANK DEPOSIT SLIP COPIES 1997	PS	9/28/2002	PD
352	A4(A)	AGENT FILES - 1995-1996	AC/PS	9/28/2002	PD
357	A4(A)	BENEFIT CANCELLED LIST BILLS A-K 1992 - 1996	AC/PS	9/28/2002	PD
362	A4	CONGRESS & SECURITY CANCELLED LIST BILLS & AGENT FILES 1995-1996	AC/PS	9/28/2002	PD
367	A4(A)	BENEFIT CANCELLED LIST BILLS J-Z 1992 - 1996	AC/PS	9/28/2002	PD
401	A3	BENEFIT LIFE COMMISSION RELATED FILES 1996	PS	9/28/2002	PD
406	A3	BENEFIT & SECURITY BILLING REPORTS 9/98 & 10/98	PS	9/28/2002	PD
407	A3	BENEFIT & SECURITY BILLING REPORTS 11/97-8/98	PS	9/28/2002	PD
408	A3	BENEFIT & SECURITY BILLING REPORTS 11/98 & 12/98	PS	9/28/2002	PD
411	A4(A)	AGENT REPORTS 1997	AC	9/28/2002	PD
412	A3	PREMIUM RECEIPTS/COPIES OF BANK DEPOSIT SLIPS - 1997	PS	9/28/2002	PD
413	A3	PREMIUM RECEIPTS/COPIES OF BANK DEPOSIT SLIPS - 1997	PS	9/28/2002	PD
414	A3	PREMIUM RECEIPTS/COPIES OF BANK DEPOSIT SLIPS - 1997	PS	9/28/2002	PD
415	A3	PREMIUM RECEIPTS/COPIES OF BANK DEPOSIT SLIPS - 1997	PS	9/28/2002	PD
416	A3	BINDERS - AGENT STATEMENTS 12/96	PS	9/28/2002	PD
417	A3	BINDERS - AGENT STATEMENTS 3/97	PS	9/28/2002	PD
418	A3	BINDERS - AGENT STATEMENTS 7/96	PS	9/28/2002	PD

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BOX #	CATEGORY	DESCRIPTION	RETENTION PERIOD	RETENTION DATE	DISPOSITION
419	A3	BINDERS - AGENT STATEMENTS 1/97-2/97	PS	9/28/2002	PD
420	A3	BINDERS - AGENT STATEMENTS 1/97 & 12/97	PS	9/28/2002	PD
421	A3	BINDERS - AGENT STATEMENTS 8/96	PS	9/28/2002	PD
422	A3	BINDERS - AGENT STATEMENTS 96-97	PS	9/28/2002	PD
423	A4(A)	CREDIT LIFE & REINSURANCE PREMIUM REPORTS 1996	PS	9/28/2002	PD
424	A3	BINDERS - AGENT STATEMENTS 2/97	PS	9/28/2002	PD
425	A3	BINDERS - AGENT STATEMENTS 9/96 & 2/97	PS	9/28/2002	PD
426	A3	BINDERS - AGENT STATEMENTS THRU 9/96	PS	9/28/2002	PD
427	A3	BINDERS - AGENT STATEMENTS THRU 3/96	PS	9/28/2002	PD
428	A3	BINDERS - AGENT STATEMENTS THRU 11/96	PS	9/28/2002	PD
429	A3	BINDERS - AGENT STATEMENTS THRU 7/96	PS	9/28/2002	PD
430	A3	BINDERS - AGENT STATEMENTS THRU 11/96	PS	9/28/2002	PD
446	A3	PAID VENDOR FILES 1995	PS	9/28/2002	PD
447	A3	OLD MORTGAGE FILES 1993 - 1995	AC	9/28/2002	PD
451	A4(A)	J. BURCH CORRESPONDENCE/GENERAL FILES 1992 - 1995	PS	9/28/2002	PD
452	A3	OLD MORTGAGE FILES 1992-1994	AC	9/28/2002	PD
453	A4(A)	PRESIDENT - ADMIN CORRESPONDENCE FILES 1991-1995	PS	9/28/2002	PD
454	A4(A)	CORRESPONDENCE FILES (POLICY REVISIONS/SUBMISSIONS, ADMIN, ETC.) 1991-1994	PS	9/28/2002	PD
456	A3	COMMISSION ADVANCE FILES 6/96 - 12/96	PS	9/28/2002	PD
457	A3	PAID VENDORS M - Z 1996	PS	9/28/2002	PD
458	A3	PAID VENDORS A - L 1996	PS	9/28/2002	PD
459	A4(B)	1995 EMPLOYEE RECORDS	PS	9/28/2002	PD
462	A3	COMMISSION ADVANCE FILES 1995	PS	9/28/2002	PD
463	A3	PAID VENDOR FILES - 1994	PS	9/28/2002	PD
464	A3	COMMISSION ADVANCE FILES 10/94 - 4/95	PS	9/28/2002	PD
465	A4(A)	CORRESPONDENCE - ADMIN/POLICY RELATED 1991 - 1994	PS	9/28/2002	PD
472	A3	ACCOUNTS PAYABLE - N - Z - 1997	PS	9/28/2002	PD
473	A3	ACCOUNTS PAYABLE - A - M - 1997	PS	9/28/2002	PD
474	A4(A)	CORRESPONDENCE - ADMIN/POLICY RELATED - 1991 - 1994	PS	9/28/2002	PD
477	A4(B)	PERSONNEL FILES 1992-1993	PS	9/28/2002	PD
478	A3	PAID VENDOR FILES - 1992	PS	9/28/2002	PD
479	A1/A4	CANCELLED OR W/D GROUP APPS & 1994 PAYROLL CK COPIES	PS	9/28/2002	PD
483	A4(A)	COMPLAINT FILES - 1997 & 1998	PS	9/28/2002	PD
484	A4(A)	CORRESPONDENCE - ADMIN 1994	PS	9/28/2002	PD

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BOX #	CATEGORY	DESCRIPTION	RETENTION		DISPOSITION
			PERIOD	DATE	
485	A4(A)	CORRESPONDENCE - ADMIN 1991-1994	PS	9/28/2002	PD
486	A4(B)	PAYROLL 1991 - 1996	PS	9/28/2002	PD
489	A4(A)	ADMIN FILE S- ADVERTISING, POLICY AMENDMENTS, INVESTMENT PROPOSALS 1990-1993	PS	9/28/2002	PD
490	A4(A)	COMPLAINT FILES 1998 - 1999	PS	9/28/2002	PD
491	A4(A)	H. BRUCE CORRESPONDENCE FILES RE: POLICY ISSUES, TDI 1992 - 1997	PS	9/28/2002	PD
492	A4(A)	H. BRUCE DESK FILES -POLICY FORM APPS & CORRESPONDENCE 1996-1998	PS	9/28/2002	PD
493	A4(A)	BL DESK FILES A-L 1991 - 1995	PS	9/28/2002	PD
494	A4(A)	NAIC CORRESPONDENCE & REPORTS; OLD COMMISSION STMTS 1991-1996	PS	9/28/2002	PD
495	A3	FINANCIAL STATEMENT WORKPAPERS 12/93 - 6/94	AC	9/28/2002	PD
496	A3	AGENT STATEMENTS 1996-1997	PS	9/28/2002	PD
497	A3	EM 1997 WORK PAPERS & EXPENSE REPORTS	AC	9/28/2002	PD
498	A3	VARIOUS OUTSTANDING CK LISTS; VENDOR FILES; VOID CKS 1993-1997	AC	9/28/2002	PD
499	A4(A)	W. MORDECI CORRESPONDENCE & GENERAL ADMINISTRATIVE FILES 1991-1995	PS	9/28/2002	PD
500	A3	AUDITS & BUSINESS PLANS 1990-1992	AC	9/28/2002	PD
501	A3	BENEFIT AGENT STATEMENTS 10/95 - 12/95	PS	9/28/2002	PD
502	A4(A)	H. BRUCE DESK FILES - POLICY FORMS & CORRESPONDENCE 1998-2000	PS	9/28/2002	PD
503	A4(A)	SOFTWARE & MANUALS	PS	9/28/2002	PD
504	A4(A)	W. MORDECI NOTES & CORRESPONDENCE 1991-1995	PS	9/28/2002	PD
506	A3	BENEFIT AGENT STATEMENTS 1996-1997	PS	9/28/2002	PD
509	A3	COMMISSION ADVANCE FILES 5/95-5/96	PS	9/28/2002	PD
510	A3	FINANCIAL STATEMENT WORK PAPERS 7/94-7/95	AC	9/28/2002	PD
511	A3	AGENT STATEMENTS 1995-1996	PS	9/28/2002	PD
512	A3	PRESCRIP INVOICE 1996	PS	9/28/2002	PD
513	A3/A4(A)	1996 REINSURANCE REPORT & 4/97 PRESCRIP INVOICE	AC/PS	9/28/2002	PD
514	A4(A)	H. BRUCE DESK FILES - POLICY FORM FILINGS; SOFTWARE DEVELOPMENT 1996-1999	AC	9/28/2002	PD
515	A4(A)	1999 CORRESPONDENCE AND GENERAL ADMINISTRATIVE FILES	AC	9/28/2002	PD
516	A3	AGENT STATEMENTS - CONGRESS LIFE & BENEFIT 1995	PS	9/28/2002	PD

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BOX #	CATEGORY	DESCRIPTION	RETENTION PERIOD	RETENTION DATE	DISPOSITION
517	A4(A)	INTEROFFICE MEMOS, SAMPLE POLICIES, PREM REPORTS 1992-1995	PS	9/28/2002	PD
518	A3	ACCOUNT PAYABLE BACKUP DOCUMENTS 1997-1999	PS	9/28/2002	PD
519	A3	PPO CLAIMS & ACCOUNT PAYABLE 1997-1999	PS	9/28/2002	PD
520	A4(B)	PERSONNEL FILES 1996-1997	PS	9/28/2002	PD
521	A3	AGENT STATEMENTS 1999	PS	9/28/2002	PD
526	A4(A)	H. BRUCE DESK FILES, CORRESPONDENCE, POLICY FORMS BINDERS 1996 - 1997	PS	9/28/2002	PD
527	A3	BINDERS - MONTHLY/QUARTERLY STMTS W/DISKETTES 1993-1995	AC	9/28/2002	PD
528	A3	1999 AGENT STATEMENT COPIES & CORRESPONDENCE	PS	9/28/2002	PD
529	A3	PREMIUM PAYMENT STUBS & DEPOSIT SLIP COPIES 1996	PS	9/28/2002	PD
530	A3	PREMIUM PAYMENT STUBS & DEPOSIT SLIP COPIES 1997	PS	9/28/2002	PD
531	A4(A)	COMPLAINT FILES - 1997	PS	9/28/2002	PD
532	A3	FINANCIAL STATEMENT WORK PAPERS 3/31/98-6/30/98	AC	9/28/2002	PD
533	A3	FINANCIAL STATEMENT WORK PAPERS 1990-1998	AC	9/28/2002	PD
534	A3	PREMIUM PAYMENT STUBS & DEPOSIT SLIP COPIES 1997	PS	9/28/2002	PD
535	A3	PREMIUM PAYMENT STUBS & DEPOSIT SLIP COPIES 1996	PS	9/28/2002	PD
536	A3/A4(A)	MARKETING CORRESPONDENCE/ANNUAL STATEMENT COPIES 1995-1998	AC	9/28/2002	PD
537	A1	OLD CLAIMS INFORMATION-CLAIMS PAID REINSURANCE RECOVERABLES 1995-1997	AC	9/28/2002	PD
538	A4(A)	OLD SUPERVISION FILES; PERSONNEL 1995-1997	AC	9/28/2002	PD
539	A3	PREMIUM PAYMENT STUBS & DEPOSIT SLIP COPIES 1996	AC	9/28/2002	PD
540	A3	PREMIUM PAYMENT STUBS & DEPOSIT SLIP COPIES 1996	AC	9/28/2002	PD
541	A3	FINANCIAL STATEMENT WORKPAPERS 3/96 - 11/96	AC	9/28/2002	PD
542	A3	PREMIUM RECEIPT BATCH REPORTS 1996	AC	9/28/2002	PD
544	A3	ANNUAL STATEMENT WORKPAPERS 1998-1999	AC	9/28/2002	PD
545	A3	ANNUAL STATEMENT WORKPAPERS & EXPENSE BACKUP 1998	AC	9/28/2002	PD
546	A3	PREMIUM RECEIPT BATCH REPORTS 1996	AC	9/28/2002	PD
547	A3	FINANCIAL STATEMENT WORKPAPERS 5/95-12/95	AC	9/28/2002	PD
548	A4(A)/A1	REINSURANCE AGREEMENTS 1994 & POLICY FORMS	AC	9/28/2002	PD
549	A4(A)	RESERVE VALUATION 1990-1998; AUDITS; STAFF MEETING NOTES	AC	9/28/2002	PD
551	A3	AUDIT SUPPORT FILES 1991-1998	AC	9/28/2002	PD
552	A3	CLOSED BANK ACCOUNTS 1991-1998	AC	9/28/2002	PD

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BOX #	CATEGORY	DESCRIPTION	RETENTION PERIOD	RETENTION DATE	DISPOSITION
553	A3	PREMIUM RECEIPT BATCH REPROTS 1996	AC	9/28/2002	PD
554	A1/A4(A)	GROUP POLICY INFORMATION; BUSINESS PLANS 1995-1996	AC	9/28/2002	PD
555	A3	FINANCIAL STATEMENT WORKPAPERS 1999	AC	9/28/2002	PD
558	A3	ANNUAL STATEMENTS 1992-1993	AC	9/28/2002	PD
559	A3	FINANCIAL STATEMENT WORKPAPERS 1997	AC	9/28/2002	PD
560	A3	FINANCIAL STATEMENT WORKPAPERS 1997-1998	AC	9/28/2002	PD
561	A3	ANNUAL STATEMENTS 1994-1995	AC	9/28/2002	PD
563	A3	ANNUAL AUDIT REPORTS 1995-1998	AC	9/28/2002	PD
564	A3	FINANCIAL STATEMENT WORKPAPERS 12/96	AC	9/28/2002	PD
566	A3	BLF AGENT STATEMENTS 1996	AC/PS	9/28/2002	PD
567	A3	AGENT STATEMENTS - 1/00 - 3/00	PS	9/28/2002	PD
568	A3	AGENT STATEMENTS - 1997	PS	9/28/2002	PD
569	A3	AGENT STATEMENTS - 1998-2000	PS	9/28/2002	PD
570	A3	AGENT STATEMENTS - 6/95 - 9/95	PS	9/28/2002	PD
571	A3	AGENT STATEMENTS - 1995-1996	PS	9/28/2002	PD
572	A3	AGENT STATEMENTS - 6/95-8/95 & 1996	PS	9/28/2002	PD
573	A3	AGENT STATEMENTS - 1999	PS	9/28/2002	PD
581	A3	CANCELLED CHECKS - BENEFIT EXPENSE-PRESTON BANK, DALLAS- #106351-6/96-9/96	AC	9/28/2002	PD
582	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #111211 - 4/30/98	AC	9/28/2002	PD
583	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #111211, 4/97 - 6/97	AC	9/28/2002	PD
584	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #111211 - 11/28/97 - 12/31/97	AC	9/28/2002	PD
585	A3	CANCELLED CHECKS - BENEFIT EXPENSE - PRESTON BANK, DALLAS - #106351 - 1/96 - 5/96	AC	9/28/2002	PD
586	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #111211 - 1/97 - 3/97	AC	9/28/2002	PD
587	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #111211 - 1/96 - 9/96	AC	9/28/2002	PD
588	A3	CANCELLED CHECKS - BENEFIT EXPENSE - PRESTON BANK, DALLAS 0- #106351 - 10/98 - 3/99	AC	9/28/2002	PD
589	A3	CANCELLED CHECKS - BENEFIT EXPENSE - PRESTON BANK, DALLAS - #106351 - 4/30/97 - 7/31/97	AC	9/28/2002	PD

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BOX #	CATEGORY	DESCRIPTION	RETENTION PERIOD	RETENTION DATE	DISPOSITION
590	A3	CANCELLED CHECKS - BENEFIT EXPENSE - PRESTON BANK, DALLAS - #106351 - 12/99 - 8/00	AC	9/28/2002	PD
591	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #111211 - 1/15/98 - 2/13/98	AC	9/28/2002	PD
592	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - 1/95 - 12/95	AC	9/28/2002	PD
593	A3	CANCELLED CHECKS - NALICO EXPENSE - PAVILLION BANK, DALLAS - #475222 - 1/96 - 10/96	AC	9/28/2002	PD
594	A3	CANCELLED CHECKS - BENEFIT EXPENSE - PRESTON BANK, DALLAS - #106351 - 4/99 - 11/99	AC	9/28/2002	PD
595	A3	CANCELLED CHECKS - BENEFIT EXPENSE - PRESTON BANK, DALLAS - #106351 - 8/1/97 - 12/15/97	AC	9/28/2002	PD
596	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #111211 - 9/15/97 - 11/15/97	AC	9/28/2002	PD
597	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #111211 - 6/30/97 - 8/31/97	AC	9/28/2002	PD
598	A3	CANCELLED CHECKS - BENEFIT EXPENSE & CLAIMS - PRESTON BANK, DALLAS - #106351 & 111211 - 9/95 - 12/95	AC	9/28/2002	PD
599	A3	CANCELLED CHECKS - BENEFIT EXPENSE - PRESTON BANK, DALLAS - #106351 - 5/15/98 - 9/30/98	AC	9/28/2002	PD
600	A3	CANCELLED CHECKS - NALICO CLAIMS - PAVILLION BANK, DALLAS - #47514 - 1/95 - 12/95	AC	9/28/2002	PD
601	A3	CANCELLED CHECKS - CONGRESS EXPENSE - PAVILLION BANK, DALLAS - #51540 - 1995 - 1996	AC	9/28/2002	PD
602	A3	CANCELLED CHECKS - BENEFIT EXPENSE - PRESTON BANK, DALLAS - #106351 - 10/96 - 12/96	AC	9/28/2002	PD
603	A3	CANCELLED CHECKS - BENEFIT EXPENSE - PRESTON BANK, DALLAS - #106351 - 12/97 - 4/98	AC	9/28/2002	PD
604	A3	CANCELLED CHECKS - BENEFIT EXPENSE - PRESTON BANK, DALLAS - #106351 - 1/97 - 4/97	AC	9/28/2002	PD
605	A3	CANCELLED CHECKS - NALICO EXPENSE - PAVILLION BANK, DALLAS - #47522 - 1/95 - 12/95	AC	9/28/2002	PD
606	A3	CANCELLED CHECKS - NALICO CLAIMS - PAVILLION BANK, DALLAS - #47514 - 1/96 - 10/96	AC	9/28/2002	PD

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BOX #	CATEGORY	DESCRIPTION	RETENTION PERIOD	RETENTION DATE	DISPOSITION
607	A3	CANCELLED CHECKS - CONGRESS EXPENSE - PAVILLION BANK, DALLAS - #51540 - 1/97 - 11/97	AC	9/28/2002	PD
608	A3	CANCELLED CHECKS - CONGRESS CLAIMS - 1ST BANK, ST PAUL, MN - 3/97 - 6/97	AC	9/28/2002	PD
609	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #111211 - 5/15/98 - 6/30/98	AC	9/28/2002	PD
610	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #111211 - 7/15/98 - 10/15/98	AC	9/28/2002	PD
611	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #111211 - 10/31/98 - 12/31/98	AC	9/28/2002	PD
612	A3	CANCELED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #111211 - 2/8/98 - 4/15/98	AC	9/28/2002	PD
613	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #111211 - 1/99 - 2/99	AC	9/28/2002	PD
614	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #111211 - 1/99 - 2/99	AC	9/28/2002	PD
615	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #111211 - 4/99 - 12/99	AC	9/28/2002	PD
616	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #117945 - 6/99 - 12/99	AC	9/28/2002	PD
617	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLS - #117945 - 10/99 - 11/99	AC	9/28/2002	PD
618	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #117945 - 11/99 - 12/99	AC	9/28/2002	PD
619	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #117945 - 1/00 - 2/00	AC	9/28/2002	PD
620	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #117945 - 3/00 - 4/00	AC	9/28/2002	PD
621	A3	CANCELLED CHECKS - BENEFIT CLAIMS - PRESTON BANK, DALLAS - #117945 - 5/00 - 7/00	AC	9/28/2002	PD
622	A3	1992 - 1995 1099s	AC	9/28/2002	PD
624	A3	BANK STATEMENT/RECONCILIATIONS 1992-1995, BENEFIT EXP & DEPOSIT ACCT; NALICO CLAIMS & EXP	AR+7/AC	9/28/2002	PD
625	A3	PAYROLL FILINGS & W2s 1993-1999, 1997 & 1998 INDEPENDENT AUDIT; NAIC IRIS RATIOS 1991-1998	AC	9/28/2002	PD

BENEFIT LIFE INSURANCE COMPANY  
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BOX #	CATEGORY	DESCRIPTION	RETENTION PERIOD	RETENTION DATE	DISPOSITION
627	A3	BANK STATEMENT/RECONCILIATIONS-SECURITY EXP 6/96-12/98; CLAIMS 6/96-5/99; 1995 PD VENDOR FILES	AR+7/AC	9/28/2002	PD
628	A3	BC/BL EMP COVER 1993-1996; POLICY FILES; Y2K COMPLIANCE; MARKETING RECORDS	AC/PS	9/28/2002	PD
629	A3	BANK STATEMENT/RECONCILIATIONS-BENEFIT EXPENSE 1997-1998, PAVILLION BK	AR+7/AC	9/28/2002	PD
630	A3	STATEMENTS & BACKUP FOR MORTGAGE LOAN DISBURSEMENT ACCOUNTS 1993-1997	AR+7/AC	9/28/2002	PD
631	A3	AGENT COMMISSION STMT; BENEFIT LIFE DEPOSIT SLIP COPIES 1999- 2000; BC/BS 2000	AC	9/28/2002	PD
632	A3	BANK STATEMENT/RECONCILIATIONS - ALL ACCOUNTS 1996-1998	AR+7/AC	9/28/2002	PD
633	A3	GENERAL LEDGER BACKUP 11/97-1/98 FOR BENEFIT & SECURITY	AC	9/28/2002	PD
635	A3	ANNUAL STATEMENTS 1993-1999	AC	9/28/2002	PD
636	A3/A4(A)	RESERVE RPTS 1997 SECURITY; CORR/RPTS FOR LEGAL SECURITY 1992-1999; PD VENDORS 1998	AC	9/28/2002	PD
637	A3	CANCELLED CHECKS - BENEFIT CLAIMS 10/96-12/96; BENEFIT EXP 6/96-12/96; NALICO & BENEFIT, 10/94-10/95	AC	9/28/2002	PD
638	A3	GENERAL LEDGER BACKUP- BENEFIT & SECURITY 2/98-5/98 1990-1993 WSA RPTS, AUDIT, ANNL STMT MONTHLY RPTS & PERSONNEL FILES	AC	9/28/2002	PD
639	A3/A4(A)	1994 BENEFIT EXP CANCELLED CHECKS & DEPOSIT SLIPS @ PRESTON BANK & BENEFIT DEPOSITS 1996 @ PAVILLION	AC	9/28/2002	PD
640	A3	MONTHLY & QUARTERLY REPORTS 1993-1996	AC	9/28/2002	PD
642	A3	CANCELLED CHECKS-CONGRESS EXP 1996 & PREMIUM DEPOSIT BACKUP 1994	AC	9/28/2002	PD
643	A3	PAID VENDOR FILES 1996; MONEY MARKET ACCTS CLOSED 1996	AC	9/28/2002	PD
644	A3	BANK STATEMENTS/RECONCILIATIONS-BENEFIT CLAIMS 2/96-9/98 PRESTON BANK	AC	9/28/2002	PD
645	A3	GENERAL LEDGER BACKUP-BENEFIT & SECURITY 8/98 - 11/98	AR+7/AC	9/28/2002	PD
646	A3	BANK STATEMENTS/RECONCILIATIONS-BENEFIT EXP & DEP, CONGRESS EXP, NALICO PREM, TRUST EXP & CLAIMS '95	AC	9/28/2002	PD
647	A3	BATCH REPORTS - BENEFIT, SECURITY & CONGRESS 1996	AR+7/AC	9/28/2002	PD
648	A3	GENERAL LEDGER/JE BACKUP - BENEFIT & SECURITY 3/98	AC	9/28/2002	PD
649	A3	GENERAL LEDGER BACKUP-BENEFIT, SECURITY & CONGRESS 8/97- 10/97	AC	9/28/2002	PD
650	A3		AC	9/28/2002	PD

BENEFIT LIFE INSURANCE COMPANY  
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BOX #	CATEGORY	DESCRIPTION	RETENTION		DISPOSITION
			PERIOD	DATE	
653	A4	POLICYHOLDER P/O 1994 NALICO; WSA PREMIUM RPT 1995; 1993	AC	9/28/2002	PD
654	A3	REINS PYMTS & PREM RECEIPTS	PS	9/28/2002	PD
656	A3	PREMIUM RECEIPTS 1996	AC	9/28/2002	PD
657	A3	1998 & 1999 RESERVE REPORTS WITH BACKUP	AR+7/AC	9/28/2002	PD
		GENERAL LEDGER P/O 1992 & 1993			
658	A3	REINSURANCE PREMIUMS & AMTS RECOVERED 1996-1997; POLICY LIST BY AGENT 1998; INFO ON AMERICAN HC	AC	9/28/2002	PD
659	A3	PAID PREMIUM RPT 1994; 1997 WIRE TRANSFER REQUESTS; DEPOSIT SLIP COPIES 1994	AC	9/28/2002	PD
660	A3	GENERAL LEDGER 1991; VOID CHECKS 1997; CHECK COPIES 1995; BANK RECONCILIATIONS 1991-1996	AR+7/AC	9/28/2002	PD
662	A3	REINSURANCE REPORTS 1998	AC	9/28/2002	PD
663	A3	CHECK REGISTER BINDERS 1997	AC	9/28/2002	PD
664	A3	CHECK REGISTER BINDERS 1996 & G/L REPORT BINDERS 1996-1997	AR+7/AC	9/28/2002	PD
665	A3	GENERAL LEDGER REPORT BINDERS 1997	AR+7/AC	9/28/2002	PD
666	A3	GENERAL LEDGER RPT BINDERS 1997 & RATE INCREASE P/O 1994-1995	AR+7/AC	9/28/2002	PD
667	A3/A4(A)	REINSURANCE INFO; WSA POLICY MANUAL; INVESTMENT ACCOUNTS 1994-1995	AC	9/28/2002	PD
668	A3	GENERAL LEDGER REPORTS 1997	AR+7/AC	9/28/2002	PD
669	A3	QUARTERLY STATEMENT BINDERS & INVESTMENT BINDER 1997-2000	AC	9/28/2002	PD
670	A3/A4(A)	CORRESPONDENCE FILES-IRS, AGENTS, AAG; PREMIUM/CLM PYMT RPTS	AC	9/28/2002	PD
672	A3	MORTGAGE LOAN CORR FILES & CLOSED BANK ACCOUNTS	AC	9/28/2002	PD
673	A3	BANK STATEMENTS/RECONCILIATIONS 1997-1998; FIN STMT W/Ps; GENERAL LEDGER 1998	AR+7/AC	9/28/2002	PD
675	A3/A4(A)	F&E INVENTORY 1997; TPA FEES THRU 1999; AAG CORR RE F&E; SPECIMAN POLICIES	AC	9/28/2002	PD
676	A3	VOIDED CHECKS FOR POC NOTICE	PS	9/28/2002	PD
682	A4(A)	ACCOUNTING CORRESPONDENCE 1997 - 2000	AC	9/28/2002	PD
683	A3	ANNUAL STATEMENTS & WORKPAPERS 1992 - 2000	AC	9/28/2002	PD
684	A3	MORTGAGE LOAN FILES	AC		PD

**Cash Asset Reservation**  
 for Records Management beyond Estate Closure  
 in accordance with Standards Records Inventory and Retention Schedule  
**R-507, Benefit Life Insurance Company**

		<b>Number of Boxes</b>	<b>Months to Retain</b>	<b>Amounts</b>
Records Series A	AC + 4 yrs	8	48	\$96.00
Records Series B	AC + 7 yrs	4	84	\$84.00
Records Series C	AC + 15 yrs	2	180	\$90.00

**Total  
Boxes**

14
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**Total  
Amount**

\$270.00
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**BENEFIT LIFE INSURANCE COMPANY  
IN RECEIVERSHIP**

Ernesto A. Garza  
Special Deputy Receiver  
P.O. Box 691852  
San Antonio, Texas 78269-1852

Phone: (210) 490-8808

Facsimile: (210) 499-1192

May 31, 2006

Re: Cause No. GV-002510; *State of Texas v. Benefit Life Insurance Company*, In the 353<sup>rd</sup> Judicial District Court of Travis County, Texas.

Subject: **NOTICE OF CLOSING**

Dear Claimant:

Please be advised that the Special Deputy Receiver of Benefit Life Insurance Company has asked the Court to terminate the liquidation proceedings.

You are listed as a claimant in the receivership proceeding. Pursuant to Article 21.28, § 8 and § 21A.301 of the Texas Insurance Code, your claim has been categorized as a Class 2 or below claim against the estate. It is anticipated that there will be sufficient funds to pay Class 1 and Class 2 claims in full. It is also anticipated that there will be funds available to make a pro-rata distribution of 40.6837% to Class 5 claimants, but there will be no company funds available to pay any other class of claims.

The Final Report and Application to Distribute Assets is set for submission before the Special Master on Monday, June 26, 2006. If you wish to file an objection to the Final Report and Application to Distribute Assets, including, but not limited to any objection to the approved expenses, or any claims, you must follow these rules:

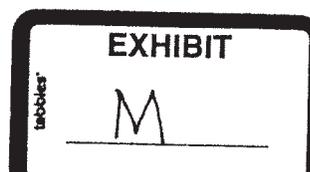
1. Any objection must be filed with the Travis County District Clerk at least three (3) calendar days before the submission date.
2. A copy of any objection shall be served by such date on:
  - (a) The Special Master's Docket Clerk, Ms. Jean Sustaita, Texas Department of Insurance, (Hand Delivery) 333 Guadalupe, Hobby Tower III, Room 550, MC-305-1D, Austin, Texas; or (Mail To) P.O. Box 149104, Austin, Texas 78714-9104;
  - (b) All interested parties, including those listed on the Applicant's Certificate of Service.
3. The written objection must specifically list all reasons for objection with supporting references to and discussion of statutory and case authorities. Reasons not stated in writing will not be considered orally.
4. If a matter is set for submission, an objecting party shall expeditiously coordinate with Applicant's counsel and the master's docket clerk [(512) 463-6450] to obtain an oral hearing, unless the master determines that an oral hearing is not necessary. The objecting party shall serve a Notice of Oral Hearing on applicant's counsel and all interested parties, including those listed on the Applicant's Certificate of Service.
5. Failure to file timely a written objection before the Special Master constitutes a waiver of the right to object to the Special Master's recommendation to the District Court.
6. Any Acknowledgment of Notice and Waiver to be filed by the Guaranty Association or other interested party should be filed at least (3) calendar days before the submission or hearing date.

Upon receipt of the order approving the Final Report, your distribution check will be mailed to you. Please be advised that this check must be cashed within 30 days from the date it is issued. After that the account will be closed and any unclaimed funds will be transferred to the Commissioner of Texas Department of Insurance.

Should you have any questions regarding this notice, please do not hesitate to call me at 210/490-8808.

Sincerely,

  
Ernesto A. Garza, Special Deputy Receiver  
for Benefit Life Insurance Company



# EXHIBIT 2

NO. GV-002510

STATE OF TEXAS

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§

IN THE DISTRICT COURT OF

VS.

TRAVIS COUNTY, TEXAS

BENEFIT LIFE INSURANCE COMPANY

353<sup>RD</sup> JUDICIAL DISTRICT  
of Travis County, Texas

**ORDER APPROVING FINAL REPORT AND APPLICATION TO DISTRIBUTE ASSETS**

JUL 10 2006

At 1009th  
Amalia Rodriguez-Mendoza, Clerk

On this day, came on to be heard the FINAL REPORT AND APPLICATION TO DISTRIBUTE ASSETS ("Final Report") filed by Ernesto A. Garza, Special Deputy Receiver of Benefit Life Insurance Company ("SDR" and "Benefit Life"). The SDR appeared by submission, as did his attorney of record. The Court, having considered the Final Report, and having heard the evidence offered in support thereof, finds that the Final Report constitutes a full, final and complete accounting, and that the Final Report should be in all things approved. The Court further finds that although duly and properly notified, no one filed objections on behalf of the United States Internal Revenue Service or the Texas Life Accident, Health and Hospital Service Insurance Guaranty Association ("TLIGA"). It is therefore ORDERED, ADJUDGED, and DECREED by the Court that:

1. The Final Report is accepted and approved in all respects;
2. The SDR is authorized to transfer and assign the Fresh Freeze Judgment and unknown, non-cash assets to the Commissioner;
3. The SDR is authorized to assign the Chase Trust Account to JP Morgan Chase and the Gomax Judgment to the USDA as described in the Final Report;
4. The SDR is authorized to reserve \$35,980.00 from the operating account of the estate to be used to pay the costs incurred from May 1, 2006, until the date of the filing of the Final Accounting;

5. The SDR is authorized to timely file federal tax returns for 2005 and 2006, and any supporting documents after the filing of the Final Accounting;
6. Exhibits J-1 and J-2 of the Final Report comply with the requirements of § 21A.258;
7. The SDR's actions on the Proofs of Claims as shown on Exhibits J-1 and J-2 with respect to allowance, amount and priority are approved;
8. The SDR is authorized to distribute cash assets of the estate as proposed in the Final Report in accordance with § 21A.302 of the Code;
9. The corporate entity and charter are deemed dissolved by operation of law upon the discharge of the Receiver;
10. The SDR is authorized to make payment of any residual funds accumulated after the distribution of assets to the Receiver as a Class 1 payment for costs incurred after distribution;
11. The Commissioner and the Special Deputy Receiver are authorized to maintain, transfer, or dispose of any other records, at their discretion;
12. The SDR is authorized to make a payment to the Receiver for records retention in accordance with § 21A.354(b) of the Code;
13. The SDR is authorized to maintain the receivership accounts for a period up to ninety (90) days or less after approval of the Final Report and to deliver all unclaimed funds to the Commissioner;
14. The SDR is authorized to deem any distribution to a claimant as unclaimed when the notice is returned as undeliverable;
15. The SDR is authorized to submit to the Court a final itemized and verified expense report pursuant to § 21A.015 of the Code prior to the filing of the Final Accounting;

16. The SDR is authorized to submit to the Court on or before the expiration of ninety (90) days after the distribution to claimants is made, a Final Accounting, Order Terminating Receivership, and an order releasing and discharging Mike Geeslin, Permanent Receiver, his predecessor, José Montemayor, and Ernesto A. Garza, Special Deputy Receiver;

17. All previously filed write-offs and adjustments to the balance sheet since the SDR's appointment are hereby accepted; and

18. All previously filed Statements of Expenses and Financial Reports have been approved.

SIGNED THIS 10 day of July, 2006.

Ernesto A. Garza  
JUDGE PRESIDING

PROPER NOTICE GIVEN.  
ACKNOWLEDGEMENT OF NOTICE AND WAIVER  
OF OBJECTION PRESENTED  
SUBMITTED.  
RECOMMENDED by  
SIGNED ON 30 DAY OF June 2006  
Tom Collins  
TOM COLLINS, RECEIVERSHIP SPECIAL MASTER

# EXHIBIT 3

0001571

NO. GV-002510

STATE OF TEXAS

§  
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§  
§  
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IN THE DISTRICT COURT OF

VS.

TRAVIS COUNTY, TEXAS

BENEFIT LIFE INSURANCE COMPANY

353<sup>RD</sup> JUDICIAL DISTRICT

**FINAL ACCOUNTING, FINAL STATEMENT OF EXPENSES, AND APPLICATION FOR TERMINATION OF LIQUIDATION PROCEEDINGS AND FOR ORDER DISCHARGING RECEIVER AND SPECIAL DEPUTY RECEIVER**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Ernesto Garza, Special Deputy Receiver under contract to the Permanent Receiver of Benefit Life Insurance Company (hereinafter, "Special Deputy Receiver," and "Benefit Life", respectively) and files this FINAL ACCOUNTING, FINAL STATEMENT OF EXPENSES, AND APPLICATION FOR TERMINATION OF LIQUIDATION PROCEEDINGS AND FOR ORDER DISCHARGING RECEIVER AND SPECIAL DEPUTY RECEIVER ("Final Accounting"), and in support thereof would respectfully show the Court as follows:

FILED  
AUG 11 2:55  
CLERK OF DISTRICT COURT  
TRAVIS COUNTY TEXAS

**I.**  
**FINAL REPORT**

1. An Order approving the Final Report and Application to Distribute Assets ("Order Approving Final Report") was entered by this Court on July 10, 2006.

2. The Special Deputy Receiver has completed the distribution of assets and hereby submits its Final Accounting. The Special Deputy Receiver requests that the Court close this receivership proceeding and discharge Mike Geeslin, the Commissioner of Insurance of the State of Texas ("Commissioner") and his predecessor, Jose Montemayor, as Receiver, and Ernesto Garza, as Special Deputy Receiver.

**II.**  
**DISTRIBUTION TO CREDITORS**

3. In the Final Report, the Special Deputy Receiver estimated the closing expenses

to be \$35,980.00. In accordance with the Order Approving Final Report, the Special Deputy Receiver paid the estimated closing expenses and distributed the remainder of the funds to the Claimants of the estate, as set forth in the Final Report. The actual closing expenses were \$31,619.95. The schedule attached as Exhibit A ("Final Statement of Expenses") shows the actual expenses of the Special Deputy Receiver and his subcontractors from May 1, 2006 through the filing of this Final Accounting and the estimated expenses to close the estate. The Final Statement of Expenses in the amount of \$31,619.95 is submitted for approval by the Court pursuant to TEX. INS. CODE ANN. § 21A.015(d).

4. After payment of the Class 1 and secured claims (including the closing expenses) and Class 2 claims in full, the Special Deputy Receiver made a Class 5 (there were no Class 3 or 4 claims) distribution of ~~40.6837%~~. As will be discussed in section VII, the Special Deputy Receiver was able to direct a supplemental distribution to the Class 5 creditors from the additional funds remaining in the estate after the payment of final expenses and initial distributions. With the supplemental distribution, the Class 5 Creditors will receive a total of 42.1666% of their approved claims.

5. In accordance with the Order Approving Final Report, the Special Deputy Receiver made the initial distribution payments on or about July 11, 2006 to all those claimants for whom he had good addresses. Some of the checks were returned and some of the checks were never cashed. Attached as Exhibit B is the Final Distribution Log, which lists each claimant, by class and amount, that actually received their distribution (other than the Special Deputy Receiver and its sub-contractors). Exhibit B also shows the supplemental distribution to be made by the Commissioner. Finally, as will be discussed in section VI, the distributions to claimants that remained unpaid were delivered to the Commissioner.

**III.**  
**CHARTER CANCELLATION**

6. The Special Deputy Receiver was unable to sell Benefit Life's charter and any related rights. The Special Deputy Receiver, therefore, requests this Court to order the dissolution of the corporate entity and charter.

**IV.**  
**ASSIGNMENT TO COMMISSIONER**

7. The Order Approving Final Report authorized the Special Deputy Receiver to assign all unknown assets to the Commissioner. The Order also authorized the assignment of the judgment against Fresh Freeze, Inc. for \$3,075,902.68 plus interest. The Special Deputy Receiver assigned all unknown assets and the Fresh Freeze judgment to the Commissioner in the Transfer and Assignment, a copy of which is attached as Exhibit C.

**V.**  
**OTHER ASSIGNMENTS**

8. The Order Approving Final Report authorized the Special Deputy Receiver to assign the Chase Trust Account to JP Morgan Chase. The Special Deputy Receiver completed this Assignment, a copy of which is attached as Exhibit D.

9. The Order Approving Final Report authorized the Special Deputy Receiver to assign the Gomax judgment to the USDA. The Special Deputy Receiver completed this Assignment, a copy of which is attached as Exhibit E.

**VI.**  
**UNCLAIMED FUNDS**

10. As mentioned in section II (5) some claimants did not receive their distributions either because the Special Deputy Receiver did not have a good address, the checks were returned, or the checks remained un-cashed at the time the estate's bank account was closed. Pursuant to TEX. INS. CODE ANN. § 21A.304(a), the Special Deputy Receiver has delivered to the Commissioner \$ 4,486.00, representing Class 2 claims that were not disbursed. Attached as

Exhibit F is a schedule showing the claimant, the amount and classification of the approved claim, and the reason the claim was not paid.

**VII.**  
**SUPPLEMENTAL DISTRIBUTION**

11. The Order Approving Final Report authorized the Special Deputy Receiver to pay any residual funds accumulated after the distribution of assets to the Commissioner/Receiver as a supplemental Class 1 payment of costs incurred after distribution. This was to be done if the residual funds would not be sufficient to justify a supplemental distribution. After payment of final expenses, it was determined that \$56,191.94 remained in the account. Because this amount is sufficient to justify another distribution, the Special Deputy Receiver directed that a supplemental distribution be made to the Class 5 Creditors. Attached as Exhibit G, is the Supplemental Distribution Log showing the additional distributions to be made to the Class 5 Creditors. The amount for the supplemental distribution was transferred to the Commissioner, who will complete the distribution.

**VIII.**  
**FINAL FINANCIAL STATEMENTS**

12. The Closing Balance Sheet and the Closing Sources and Uses of Cash are attached as Exhibits H and I, respectively.

**IX.**  
**RECEIVERSHIP RECORDS**

13. In accordance with the Order Approving Final Report, the Special Deputy Receiver has inventoried and transferred the remaining records to the Commissioner of Insurance, and has transferred \$270.00 to the Texas Department of Insurance to cover the cost of retaining the transferred records. The Special Deputy Receiver requests that the Commissioner be granted authority to dispose of any or all of the remaining records at his discretion pursuant to TEX INS. CODE ANN. § 21A.354(b).

**X.**  
**FEDERAL INCOME TAX RETURN**

14. The Order Approving Final Report authorized the Special Deputy Receiver to timely file the federal income tax return for 2006. The Special Deputy Receiver requests this Court to enter an order authorizing it to sign the federal income tax return and any other documents necessary to file the return. There are no federal income taxes owed.

**XI.**  
**DISCHARGE OF RECEIVER AND SPECIAL DEPUTY RECEIVER**

15. Having resolved all issues remaining in the estate, and because all property justifying the expense of collection and distribution has been collected and distributed, the Special Deputy Receiver requests that this Court issue its order terminating the Benefit Life liquidation proceedings and discharging Mike Geeslin as Receiver of Benefit Life and José Montemayor as predecessor Receiver. Further, the Special Deputy Receiver requests that upon his completion and filing of the 2006 tax return and delivery to the Commissioner, he be automatically discharged as the Special Deputy Receiver and released from any and all bonds in connection with this proceeding without further action of this court.

**XII.**  
**OFFER OF PROOF**

16. Attached hereto is a certificate submitted under TEX. INS. CODE ANN. § 21A.017(b)(2) authenticating the exhibits submitted herein.

WHEREFORE, PREMISES CONSIDERED, the Special Deputy Receiver respectfully prays that this Court enter an order:

1. Accepting and approving in all aspects this Final Accounting, Final Statement of Expenses, and Application for Termination of Liquidation Proceedings and for Order Discharging Liquidator and Special Deputy Receiver;

2. Approving the Final Statement of Expenses;
3. Approving the transfer of the unclaimed distributions shown on Exhibit F to the Commissioner;
4. Authorizing the Commissioner to destroy records of Benefit Life at his discretion;
5. Dissolving the corporate entity and charter;
6. Authorizing the Special Deputy Receiver to timely file the federal income tax return for 2006, and further authorizing him to sign the return and any other documents necessary to file the federal income tax return;
7. Terminating these liquidation proceedings;
8. Discharging Mike Geeslin as Receiver of Benefit Life and José Montemayor, as predecessor Receiver of Benefit Life.
9. Discharging Ernesto Garza, as Special Deputy Receiver of Benefit Life upon his filing of the 2006 tax return and delivery to the Commissioner and releasing him from any bonds in connection with this proceeding; and
10. Granting the Receiver and Special Deputy Receiver any such further relief to which they may be entitled.

Respectfully submitted,

STROUD & WELCH, PLLC  
11824 Jollyville Road, Suite 200  
Austin, Texas 78759  
Telephone: 512/482-9291  
Facsimile: 512/482-9211

By: \_\_\_\_\_

Rachel Stroud  
State Bar No. 19424700

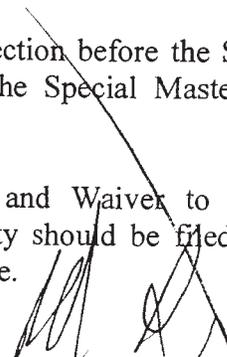
Steven R. Welch  
State Bar No. 21126600  
Attorneys for Ernesto Garza, Special Deputy  
Receiver of Benefit Life Insurance  
Company

**APPLICANT'S NOTICE OF SUBMISSION**

Pursuant to the terms of the Order of Reference to Master entered by the District Court in this cause, the **FINAL ACCOUNTING, FINAL STATEMENT OF EXPENSES, AND APPLICATION FOR TERMINATION OF LIQUIDATION PROCEEDINGS AND FOR ORDER DISCHARGING RECEIVER AND SPECIAL DEPUTY RECEIVER** is hereby set for written submission before the Special Master, Tom Collins, on **Monday**, August 28, 2006.

The Special Master has asked that the following rules be provided you:

1. Any objection must be filed with the Travis County District Clerk at least three (3) calendar days before the submission date.
2. A copy of any objection shall be served by such date on:
  - (a) The Special Master's Docket Clerk, Ms. Jean Sustaita, Texas Department of Insurance, **(Hand Delivery)** 333 Guadalupe, Hobby Tower III, Room 550, Austin, Texas; or **(Mail To)** P.O. Box 149104, MC-305-1D, Austin, Texas, 78714-9104.
  - (b) All interested parties, including those listed on the Applicant's Certificate of Service.
3. The written objection must specifically list all reasons for objection with supporting references to and discussion of statutory and case authorities. Reasons not stated in writing will not be considered orally.
4. If a matter is set for submission, an objecting party shall expeditiously coordinate with Applicant's counsel and the master's docket clerk [(512) 463-6450] to obtain an oral hearing, unless the master determines that an oral hearing is not necessary. The objecting party shall serve a Notice of Oral Hearing on applicant's counsel and all interested parties, including those listed on the Applicant's Certificate of Service.
5. Failure to file timely a written objection before the Special Master constitutes a waiver of the right to object to the Special Master's recommendation to the District Court.
6. Any Acknowledgment of Notice and Waiver to be filed by the Guaranty Association or other interested party should be filed at least (3) calendar days before the submission or hearing date.

  
\_\_\_\_\_  
Rachel Stroud

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served on all counsel of record in accordance with TEX. INS. CODE §21A.007(d) and the Texas Rules of Civil Procedure this 14th day of August, 2006.

Mr. Tom Collins  
Special Master  
Texas Department of Insurance  
333 Guadalupe, Tower III  
Rm. 550, MC-305-1D  
Austin, Texas 78701

Ms. Myra Garrett  
Liquidation Oversight Analyst  
Texas Department of Insurance  
333 Guadalupe, Tower III  
5th Floor, MC-305-1D  
Austin, Texas 78701

Ms. Leanne Foster  
Legal Services  
Texas Department of Insurance  
333 Guadalupe, Tower I  
8th Floor, MC-110-1A  
Austin, Texas 78701

Ms. Jackie Rixen  
Texas Life, Accident, Health &  
Hospital Service Insurance Guaranty Assoc.  
c/o Law Office of Jacqueline Rixen  
400 W. Fourteenth St., Suite 100  
Austin, Texas 78701

Mr. J. Ashley Moore  
Taylor, Porter, Brooks & Phillips, L.L.P.  
P.O. Box 2471  
Baton Rouge, LA 70821

Mr. James O. Boyd  
USDA - Associate Regional Attorney  
101 South Main, Ste. 102  
Temple, Texas 76501

Mr. Larry H. Kunin  
Morris, Manniny & Martin, LLC  
3343 Peach Tree Rd. N.E., Suite 1600  
Atlanta, Georgia 30326

Mr. John Walter  
G. E. Capital  
635 Maryville Centre Dr., Suite 120  
St. Louis, MO 63141-9025

Mr. Bill Mahone  
First Savings Bank FSB  
301 South Center St., Ste. 120  
Arlington, Texas 76010

United States Attorney General  
Civil Process Clerk  
601 N.W. Loop 410, Suite 600  
San Antonio, Texas 78216-5597

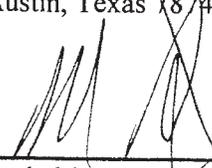
United States Attorney General  
10<sup>th</sup> and Constitution Avenue, N.W.  
Washington, D.C. 20530

Chief of Special Procedures Staff  
U.S. Internal Revenue Service  
300 East 8<sup>th</sup> Street, Suite 352  
Austin, Texas 78701

Chief of Special Procedures Staff  
U.S. Internal Revenue Service  
1111 Constitution Avenue, N.W.  
Washington, D.C. 20224

Ms. Jennifer Blackwell  
Commercial Litigation Branch  
Civil Division  
Department of Justice  
Washington, D.C. 20224

Mr. Craig H. Smith  
Deputy General Counsel  
Texas Department of Insurance  
Division of Workers Compensation  
7551 Metro Center Dr., Suite 100  
Austin, Texas 78744-1609

  
\_\_\_\_\_  
Rachel Stroud

THE STATE OF TEXAS

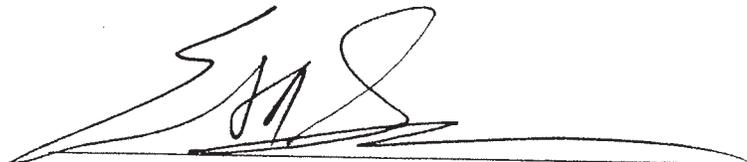
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COUNTY OF TRAVIS

**CERTIFICATE**

Mike Geeslin, Permanent Receiver of Benefit Life Insurance Company, by and through ERNESTO GARZA d/b/a Resolution Oversight Corporation, the Special Deputy Receiver of Benefit Life Insurance Company, does hereby certify, pursuant to TEX. INS. CODE ANN. § 21A.017(b)(2), that the attached documents are true and correct copies of papers, documents, or records of the receiver's office, including those described in TEX. INS. CODE ANN. § 21A.017(b)(2), and held by him in the course of delinquency proceedings against Benefit Life Insurance Company, in Cause No. GV-002510, *State of Texas vs. Benefit Life Insurance Company*, in the 353<sup>rd</sup> Judicial District Court of Travis County, Texas.

IN WITNESS WHEREOF, I, ERNESTO GARZA, d/b/a Resolution Oversight Corporation, having been appointed Special Deputy Receiver by order of the 353<sup>rd</sup> Judicial District Court of Travis County, Texas and duly authorized to make this certificate, have hereunto subscribed my name officially and impressed my seal hereon at the City of San Antonio, State of Texas, on this the 11<sup>th</sup> day of August, 2006.



ERNESTO GARZA, d/b/a Resolution Oversight Corporation, Special Deputy Receiver of Benefit Life Insurance Company

BENEFIT LIFE INSURANCE COMPANY IN RECEIVERSHIP  
Final Statement of Expenses  
May 2006 through August 2006

SDR	May	June	July	August	Total Final Expenses	Approved Closing Budget	Under- budget Remainder *
SDR administration and accounting	\$2,570.64	\$2,401.02	\$6,033.90	\$5,640.00	\$16,645.56	\$16,800.00	\$154.44
Subcontractors							
Stroud & Welch, PLLC- legal	3,966.80	345.37	1,521.00	3,585.00	9,418.17	12,700.00	3,281.83
The Warren Group- tax return	0.00	1,850.00	0.00	1,850.00	3,700.00	3,700.00	0.00
Other Vendors/ Expenses							
Safesite- records storage	139.45	140.45	0.00	137.45	417.35	510.00	92.65
Texas State Library- records storage	0.00	0.00	0.00	270.00	270.00	270.00	0.00
Bank charges	83.11	0.00	252.56	42.00	377.67	400.00	22.33
Liquidation Oversight Allocation							
Liquidation Oversight allocation	324.81	266.39	0.00	0.00	591.20	1,400.00	808.80
Special Master's fees	0.00	25.88	0.00	174.12	200.00	200.00	0.00
<b>Total by Month</b>	<b>\$7,084.81</b>	<b>\$5,029.11</b>	<b>\$7,807.46</b>	<b>\$11,698.57</b>		<b>\$35,980.00</b>	<b>\$4,360.05</b>

**Total Final Expenses for May 2006 Through August 2006**

**\$31,619.95**

\* Under-budget remainder was included in the residual funds and has been disbursed to the Texas Department of Insurance Liquidation Oversight Closing Account. These funds will be included in the Supplemental Distribution to Class 5 creditors.

BENEFIT LIFE INSURANCE COMPANY IN RECEIVERSHIP  
FINAL DISTRIBUTION LOG

POC #	CLAIMANT/PAYEE FIRST NAME	CLAIMANT/PAYEE LAST NAME	ADDRESS	CITY	ST	ZIP	CLAIM TYPE	CLASS	AMOUNT CLAIMED	CLASS 1 APPROVED	CLASS 2 APPROVED	CLASS 5 APPROVED	REJECTED AMOUNT	CLASS 5 PRO-RATA DISTRIBUTION 42.1666434%	SDR CLASS 5 DISTRIBUTION	CHECK NO.	TDI COMMISSIONER SUPPLEMENTAL CLASS 5 DISTRIBUTION
U-0001	STEPHANIE DREW	SOMERVILLE HUBBARD	18492 CR 1286 1819 S. COMMERCIAL	FLINT COLEMAN	TX	75762 76834	ANNUITY OTHER	2 5	\$33,435.87 684.60	\$33,785.21		\$684.60		\$288.67	\$278.52	2062 2061	\$10.15
U-0002	TEXAS LIFE, ACCIDENT, HEALTH & HOSPITAL SERVICE	INSURANCE GUARANTY ASSOCIATION	301 CONGRESS AVE., SUITE 500	AUSTIN	TX	78701	IGA-CLMS EXP	1	Unstated	\$409,111.00						wife	
U-0003	TEXAS LIFE, ACCIDENT, HEALTH & HOSPITAL SERVICE	INSURANCE GUARANTY ASSOCIATION	301 CONGRESS AVE., SUITE 500	AUSTIN	TX	78701	IGA-CLMS PYMT	2	Unstated	2,438,613.52						wife	
U-0004	TEXAS LIFE, ACCIDENT, HEALTH & HOSPITAL SERVICE	INSURANCE GUARANTY ASSOCIATION	301 CONGRESS AVE., SUITE 500	AUSTIN	TX	78701	OTHER-UNPAID ASSESSMENT	5	8,977.00			8,961.00	\$116.00	3,736.39	3,604.98	wife	131.41
U-0005	TEXAS LIFE, ACCIDENT, HEALTH & HOSPITAL SERVICE	INSURANCE GUARANTY ASSOCIATION	301 CONGRESS AVE., SUITE 500	AUSTIN	TX	78701	OTHER-UNPAID ASSESSMENT	5	5,279.43			5,279.43		2,228.16	2,147.87	2060	78.29
U-0006	OPTIMUM RE INSURANCE CO	INSURANCE CO RISK	3434 FAIRMONT ST.	DALLAS	TX	75219	OTHER-ENVIR ASSESSMENT	5	3,169.86			3,169.86		1,336.62	1,289.62	2059	47.00
U-0007	MANAGEMENT SPECIALTIES LONG, BURNER, PARKS,	MANAGEMENT SPECIALTIES LONG, BURNER, PARKS,	5005 SEYMOUR HWY.	WICHITA FALLS	TX	76310	OTHER-LEGAL FEES	5	6,296.70			6,296.70		2,655.11	2,561.73	2058	93.38
U-0011	SHARON K BAKER	MCCLELLAN & DELARAY	515 CONGRESS, SUITE 1500	AUSTIN	TX	78701	ANNUITY	2	209.22		209.22					2056	
U-0014	MARTHA BATES	BLANKO	3358 LANARC P. O. BOX 1402	PLANO	TX	75023	ANNUITY	2	277.42		277.42					2064	
U-0016	DOROTHY N. PRENTICE R	BLACKWELL	1121 SMILEY 227 CO	AMARILLO	TX	79106	ANNUITY	2	281.77		281.77					2054	
U-0018	JANICE CRISWELL	COWAN	1121 SMILEY 227 CO	SAN ANTONIO	TX	78223	ANNUITY	2	767.57		767.57					2052	
U-0020	HENRY L. DENTON	DAVILA, SR.	135 LIVELY DR. 2807 PRAIRIE CREEK	FORNEY	TX	75126	ANNUITY	2	847.16		847.16					2051	
U-0021	AARON I. KAREN	FOX KATZ	DR. WEST 5234 LYMBAR	RICHARDSON	TX	75080	ANNUITY	2	745.23		745.23					2049	
U-0022	PAUL R. ROSS	LOWE	4439 BOBBITT DR.	HOUSTON	TX	77066	ANNUITY	2	51.81		51.81					2048	
U-0023	ROSEMARY BOBBY C.	LOWE	4439 BOBBITT DR.	DALLAS	TX	75229	ANNUITY	2	145.87		145.87					2047	
U-0024	JOHN E. DOROTHY L.	GRAYSON GENERAL PARTNERSHIP	16027 CHALFONT PLACE	DALLAS	TX	75223	ANNUITY	2	1,165.88		1,165.88					2046	
U-0025	PAUL R. ROSS	LOWE III	4439 BOBBITT DR.	DALLAS	TX	75229	ANNUITY	2	257.16		257.16					2045	
U-0026	PAUL R. ROSS	LOWE III	4439 BOBBITT DR.	DALLAS	TX	75229	ANNUITY	2	175.57		175.57					2044	
U-0027	PAUL R. ROSS	MARY K. SIMPSON	4439 BOBBITT DR.	DALLAS	TX	75229	ANNUITY	2	1,907.23		1,907.23					2043	
U-0028	ROSEMARY BOBBY C.	MC MULLEN	2701 BRAEMAR	WACO	TX	76710	ANNUITY	2	769.26		769.26					2042	
U-0029	BOBBY C. ROBBINS	MC CRAW	2025 ARBOR BEND P. O. BOX 396	BONHAM	TX	75418	ANNUITY	2	73.19		73.19					2041	
U-0030	JOHN E. DOROTHY L.	RIGHTENOUR ROBBINS	415 CHAPARRAL	CAYUGA	TX	75832	ANNUITY	2	21.37		21.37					2040	
U-0031	M. KATHLEEN	SIMPSON	16027 CHALFONT PLACE	PLEASANTON	TX	78209	ANNUITY	2	760.71		760.71					2039	
U-0032	KENNETH L. TANN	SIMPSON	18492 COUNTY ROAD 1286	DALLAS	TX	75248	ANNUITY	2	1,368.32		1,368.32					2038	
U-0033	MARGARET G. S. RENEE	SOMERVILLE TANN	29426 GENEVA DR. 29426 GENEVA DR.	FLINT SPRING	TX	75762 77386	ANNUITY ANNUITY	2 2	137.51 243.01		137.51 243.01					2037 2036	
U-0036	JOSEPHINE CHRISTOPHER	TANN	4399 MOSS TRAIL ROUTE 2 BOX 8	SPRING	TX	77386	ANNUITY	2	243.01		243.01					2035	
U-0038	CHRISTOPHER COLEMAN	TATUM	11707 SPRING VISTA	ZACHARY	LA	70791	ANNUITY	2	34.12		34.12					2034	
U-0041	CHRISTOPHER COLEMAN	BOGMAN COLEMAN	11707 SPRING VISTA	HENRIETTA	TX	76385	ANNUITY	2	183.28		183.28					2033	
U-0044	CHRISTOPHER COLEMAN	BOGMAN COLEMAN	11707 SPRING VISTA	HOUSTON	TX	77070	ANNUITY	2	29.69		29.69					2032	



**TRANSFER AND ASSIGNMENT OF ALL ASSETS, KNOWN AND UNKNOWN**

Date: August 1, 2006

Assignor: Mike Geeslin, Receiver of Benefit Life Insurance Company

Assignor's Mailing Address (including county): 333 Guadalupe Street  
Tower 1, 13th Floor  
Austin, Travis County, Texas 78701

Assignee: Mike Geeslin, Commissioner of Insurance  
Texas Department of Insurance

Assignee's Mailing Address (including county): 333 Guadalupe Street  
Tower I, 13<sup>th</sup> Floor  
Austin, Travis County, Texas 78701

**Known Assets**

For value received, Assignor transfers and assigns all of his rights and interests, whether past, present, or future, if any, in to \$3,075,902.68 Final Summary Judgment against Fresh Freeze, Inc. Neither Assignor nor Assignor's successors or assign shall have, claim or demand any right or title to any part thereof.

**Unknown Assets**

For value received, Assignor transfers his right, title and interest, if any, in and to all unknown, non-cash assets in the Benefit Life Insurance Company's receivership estate to Assignee, or his successors, to be handled in trust in accordance with Texas Insurance Code § 21A.352, and neither Assignor nor Assignor's successors or assigns shall have, claim or demand any right or title to such assets or any part thereof.

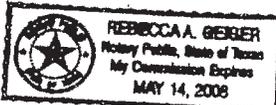
Mike Geeslin, Receiver of Benefit Life Insurance Company

By: [Signature]  
Ernesto A. Garza, Special Deputy Receiver of Benefit Life Insurance Company

STATE OF TEXAS §  
  §  
COUNTY OF TRAVIS §

On this the 1<sup>st</sup> day of August, 2006, came before me Ernesto A. Garza, Special Deputy Receiver of Benefit Life Insurance Company, who, after being duly sworn, stated and acknowledged before me that he has read the above document and that he has signed the above document for the considerations and purposes and in the capacity expressed in the document.

[Signature]  
NOTARY PUBLIC - STATE OF TEXAS



**TRANSFER AND ASSIGNMENT OF KNOWN, NON-CASH ASSETS**

Date: AUGUST 1, 2006.

Assignor: Mike Geeslin, Receiver of Benefit Life Insurance Company

Assignor's Mailing Address (including county): 333 Guadalupe Street Tower 1, 13th Floor Austin, Travis County, Texas 75701

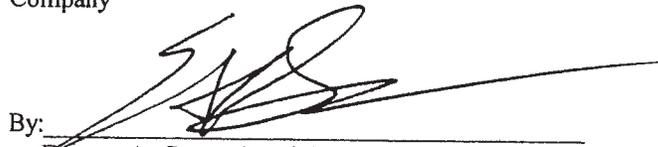
Assignee: JP Morgan Escrow Services

Assignee's Mailing Address (including county): 600 Travis Street, 53<sup>rd</sup> Floor Houston, Harris County, Texas 77002

**Known Assets**

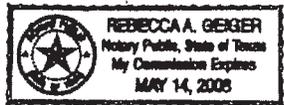
For value received, Assignor transfers and assigns all of his rights and interests, whether past, present, or future, if any, in and to the two Federal Home Loan Mortgage Certificates in Chase Trust Account No. 10218141.2. The Certificates are FHLMC 312907yc6 and FHLMC 312905s52. This assignment is for full payment of any fees due to Chase. Neither Assignor nor Assignor's successors nor assigns shall have, claim or demand any right or title to any part thereof.

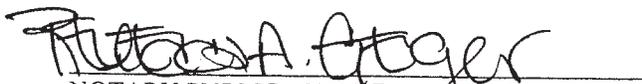
Mike Geeslin, Receiver of Benefit Life Insurance Company

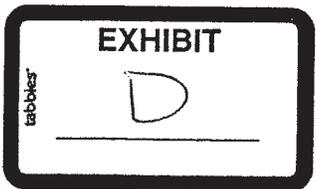
By:   
Ernesto A. Garza, Special Deputy Receiver

STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS       §

On this the 1<sup>st</sup> day of AUGUST, 2006, came before me Ernesto A. Garza, Special Deputy Receiver of Benefit Life Insurance Company, who, after being duly sworn, stated and acknowledged before me that he has read the above document and that he has signed the above document for the considerations and purposes and in the capacity expressed in the document.



  
NOTARY PUBLIC - STATE OF TEXAS



**TRANSFER AND ASSIGNMENT OF KNOWN, NON-CASH ASSETS**

Date: August 1, 2006.

Assignor: Mike Geeslin, Receiver of Benefit Life Insurance Company

Assignor's Mailing Address (including county): 333 Guadalupe Street  
Tower 1, 13th Floor  
Austin, Travis County, Texas 75701

Assignee: United States of America

Assignee's Mailing Address (including county): 101 South Main, Ste. 351  
Temple, Bell County, Texas 76501

**Known Assets**

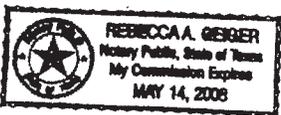
For value received, Assignor transfers and assigns all of his rights and interests, whether past, present, or future, if any, to the \$4,587,129.44 Final Summary Judgment against Gomax Foods, Inc., and Glenn and Elizabeth Odom, jointly and severally. Neither Assignor nor Assignor's successors or assigns shall have, claim or demand any right or title to any part thereof.

Mike Geeslin, Receiver of Benefit Life Insurance Company

By: [Signature]  
Ernesto A. Garza, Special Deputy Receiver

STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS     §

On this the 1st day of August, 2006, came before me Ernesto A. Garza, Special Deputy Receiver of Benefit Life Insurance Company, who, after being duly sworn, stated and acknowledged before me that he has read the above document and that he has signed the above document for the considerations and purposes and in the capacity expressed in the document.



[Signature]  
NOTARY PUBLIC - STATE OF TEXAS



BENEFIT LIFE INSURANCE COMPANY IN RECEIVERSHIP  
CLASS 5 SUPPLEMENTAL DISTRIBUTION LOG

POC #	CLAIMANT/PAYEE FIRST NAME	CLAIMANT/PAYEE LAST NAME	ADDRESS	CITY	ST	ZIP	CLAIM TYPE	CLASS	AMOUNT CLAIMED	CLASS 5 APPROVED	REJECTED AMOUNT	CLASS 5 PRO-RATA DISTRIBUTION 42.1666434%	SDR CLASS 5 DISTRIBUTION	TDI COMMISSIONER SUPPLEMENTAL CLASS 5 DISTRIBUTION
U-0002	DREW TEXAS LIFE ACCIDENT, HEALTH & HOSPITAL SERVICE	HUBBARD	1819 S. COMMERCIAL	COLEMAN	TX	76834	OTHER	5	684.60	\$684.60		\$288.67	\$278.52	\$10.15
U-0005		INSURANCE GUARANTY ASSOCIATION	301 CONGRESS AVE., SUITE 500	AUSTIN	TX	78701	OTHER-UNPAID ASSESSMENT	5	8,977.00	8,861.00	\$116.00	3,736.39	3,604.98	131.41
U-0006		OPTIMUM RE INSURANCE CO	3434 FAIRMONT ST.	DALLAS	TX	75219	UNPAID REINS PREM	5	5,279.43	5,279.43		2,226.16	2,147.87	78.29
U-0007		RISK MANAGEMENT SPECIALTIES	5005 SEYMOUR HWY.	WICHITA FALLS	TX	76310	OTHER-ENVIR ASSESSMENT	5	3,169.86	3,169.86		1,336.62	1,289.62	47.00
U-0011		LONG, BURNER, PARKS, MCCLELLAN & DELARGY	515 CONGRESS, SUITE 1500	AUSTIN	TX	78701	OTHER-LEGAL FEES	5	6,296.70	6,296.70		2,655.11	2,561.73	93.38
U-0080	RICHARDSON ISD HELLER, DRAPER, HAYEN, PATRICK & HORN		P.O. BOX 830625	RICHARDSON	TX	75083	PER.PROP. TAX	5	1,347.02	992.64	354.38	418.56	403.84	14.72
U-0081			650 POYDRAS ST., SUITE 250	NEW ORLEANS	LA	70130-6103	LEGAL FEES	5	23,816.58	23,816.58		10,042.65	9,689.47	353.18
S-0024		HANNOVER LIFE REASSURANCE CO OF AMERICA	800 NORTH MAGNOLIA AVE., SUITE 1400	ORLANDO	FL	32803	OTHER	5	Unstated	3,740,116.00		1,577,081.38	1,521,617.57	55,463.81
											Totals	1,597,785.54	\$1,541,593.60	\$56,191.94



BENEFIT LIFE INSURANCE COMPANY IN RECEIVERSHIP  
Balance Sheet  
At Closing of Receivership- August 2006

## Assets

## Cash assets

Operating account	\$0	
Texas Treasury account	0	

Total assets

\$0

## Liabilities and Equity

## Class 1 creditors

## Administrative claims- state and receiver

Special Deputy Receiver and subcontractor fees & expenses \$0

Liquidation Oversight and Special Master's fees 0

Remainder of closing budget 0

LAE- guaranty associations 0

Total Class 1 creditors

\$0

## Class 2 creditors

## Loss claims- guaranty associations

Loss claims paid 0

## Loss claims- other

Reserves 0

Total Class 2 creditors

0

## Class 5 creditors

General unsecured creditor claims 28,397

Assumed reinsurance related unsecured claims 2,163,034

Total Class 5 creditors

2,191,431

Total liabilities

2,191,431

Accumulated equity (deficit)

(2,191,431)

Total liabilities and equity

\$0

**EXHIBIT H**



# EXHIBIT 4

NO. GV-002510

STATE OF TEXAS

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IN THE DISTRICT COURT OF

VS.

TRAVIS COUNTY, TEXAS

BENEFIT LIFE INSURANCE COMPANY

353<sup>RD</sup> JUDICIAL DISTRICT

**ORDER APPROVING FINAL ACCOUNTING, FINAL STATEMENT OF EXPENSES,  
TERMINATION OF LIQUIDATION PROCEEDINGS, AND  
DICHARGING RECEIVER,  
AND SPECIAL DEPUTY RECEIVER**

AUG 30 2006  
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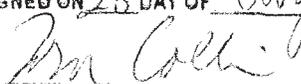
On this day, came on to be heard the FINAL ACCOUNTING, FINAL STATEMENT OF EXPENSES, AND APPLICATION FOR TERMINATION OF LIQUIDATION PROCEEDINGS AND FOR ORDER DISCHARGING RECEIVER, AND SPECIAL DEPUTY RECEIVER (the "Final Accounting" and "Application") filed by Ernesto Garza, Special Deputy Receiver under contract to the Permanent Receiver of Benefit Life Insurance Company (hereinafter, "Special Deputy Receiver," and "Benefit Life", respectively). The Special Deputy Receiver appeared by submission, as did his attorney of record. The Court, having considered the Final Accounting, and having heard the evidence offered in support thereof, finds that the Final Accounting constitutes a full, final and complete accounting, and that the Final Accounting should be accepted, and that the Application should be granted in all respects. The Court further finds that although duly and properly notified, no one filed objections on behalf of the Texas Attorney General, the United States Attorney, the United States Internal Revenue Service or the Texas Life, Accident, Health & Hospital Services Insurance Guaranty Association. It is therefore ORDERED, ADJUDGED, and DECREED by the Court that:

1. The Final Accounting is hereby accepted, and the Application for Termination of Liquidation Proceedings and for Order Discharging Receiver and Special Deputy Receiver are hereby GRANTED in all aspects;

2. The Final Statement of Expenses is approved;
3. The Commissioner is authorized to destroy the records of Benefit Life at his discretion;
4. The Special Deputy Receiver is authorized to timely file the federal income tax return for 2006, and to sign all necessary supporting documents necessary to file the federal income tax return;
5. Mike Geeslin, Receiver of Benefit Life, and Jose Montemayor, as the predecessor Receiver of Benefit Life, are discharged and released from any and all bonds;
6. Ernesto Garza, is discharged as Special Deputy Receiver of Benefit Life, and released from its bonds, subject to the filing of the final tax return and delivery to the Commissioner. Upon the filing and delivery of the final tax return, Ernesto Garza, is fully released from his bond;
7. The Receiver and Special Deputy Receiver are granted any such further relief to which they may be entitled; and
8. This receivership proceeding is hereby terminated.

SIGNED THIS 30 day of AUGUST, 2006.

  
 \_\_\_\_\_  
 JUDGE PRESIDING

PROPER NOTICE GIVEN,  
 ACKNOWLEDGEMENT OF NOTICE AND WAIVER  
 OF OBJECTION PRESENTED  
 SUBMITTED.  
 RECOMMENDED <sup>to</sup>  
 SIGNED ON 28 DAY OF August 2006  
  
 \_\_\_\_\_  
 TOM COLLINS, RECEIVERSHIP SPECIAL MASTER

# EXHIBIT 5

**Benefit Life Insurance Company Unclaimed Funds List**

<b>Claimant</b>	<b>Address</b>	<b>Amount</b>
Kenneth W. Baker	3358 LANARC PLANO TX 75023	\$ 1,956.23
Ellen Lowe Bengston	4114 RUSH CIRCLE ADDISON TX 75001	\$ 119.63
Hal and Linda Collins	714 BARBARA ST. ATHENS TX 75751	\$ 43.37
Madell Wilson	1031 WEST MORTON DENISON TX 75020	\$ 1,672.04
Gary W. Bruce	9415 TIMBERLEAF DRIVE DALLAS TX 75243	\$ 4.10
Virginia Channell	808 RUNYMEADE KELLER TX 76248	\$ 143.83
Cary Davisson	1000 E. ASH LANE #409 EULESS TX 76039	\$ 2.88
Keith Gregory	6636 RUBY ST. NE ALBUQUERQUE NM 87109	\$ 59.08
Kimberly Lawrence	710-1/2 CHARIONA BAKERSFIELD CA 9336	\$ 30.49
Roberto J. Lima	423 CRISTLER AVENUE DALLAS TX 75223	\$ 6.17
Lisa Mattich	3908 AVON VISTA DRIVE PLANO TX 75093	\$ 3.70
Jason McWilliams	7600NW 102ND ST. OKLAHOMA CITY OK 73162	\$ 29.50
Josh McWilliams	7232 CORAL SPRINGS SAN ANTONIO TX 78250	\$ 29.50
Keith Gregory Separate Property Trust	6636 RUBY ST. NE ALBUQUERQUE NM 87109	\$ 78.67
Nancy Gregory Separate Property	6636 RUBY ST NE ALBUQUERQUE NM 87109	\$ 78.67
Texas Amateur Racquetball Assoc.	812 WOODSTOCK BELLAIRE TX 77401	\$ 48.43
Charles E. Brown	1106 GROVE DEER PARK TX 77536	\$ 76.71
Josh Gremillion	ROUTE 2 BOX 2270 ATHENS TX 75751	\$ 35.67
Laura G. Zapata	4304 18TH ST., APT. 18 LUBBOCK TX 79416	\$ 20.96
Ann J. Francis	13164 MEMORIAL DRIVE, #181 HOUSTON TX 77079	\$ 46.37
	Total	\$ 4,486.00

# EXHIBIT 6

Benefit Life check deposited to Liquidator Closing account.

4	1200 Fund 2999				
5	1201 Chase Cash-Liq Closing Account (deleted)				
2		08/24/2006	Deposit	Revenue:Closed	4,486.00

1278 R507-Closed (deleted)						
	08/16/2006	Journal Entry	04-891	Fund 2999	-Split-	25.19 25.19
	08/24/2006	Journal Entry	04-900	Fund 2999	-Split-	4,486.00 4,511.19
	08/24/2006	Journal Entry	04-902	Fund 2999	-Split-	174.12 4,685.31
	08/24/2006	Journal Entry	04-901	Fund 2999	-Split-	270.00 4,955.31
	09/13/2006	Journal Entry	04-932	Fund 2999	Residual Funds -Split-	128.90 5,084.21
<b>Total for 1278 R507-Closed (deleted)</b>						<b>\$ 5,084.21</b>

TEXAS DEPARTMENT OF INSURANCE  
LIQUIDATION OVERSIGHT CLOSING ACCOUNT  
P.O. BOX 149104  
AUSTIN, TX 78714-9104

JPMORGAN CHASE BANK, NA  
32-061/1110

1517

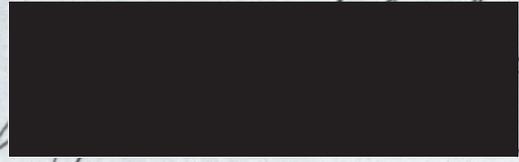
11/30/2015

PAY TO THE ORDER OF Texas Department of Insurance

\$ \*\*232,069.12

Two Hundred Thirty-Two Thousand Sixty-Nine and 12/100\*\*\*\*\*DOLLARS

Texas Department of Insurance



MEMO



TEXAS DEPARTMENT OF INSURANCE / LIQUIDATION OVERSIGHT CLOSING ACCOUNT

1517

Texas Department of Insurance

11/30/2015



R507-Benefit Life IC/Uncleaimed Funds 4,486.00



Cash-Liquidator Closi

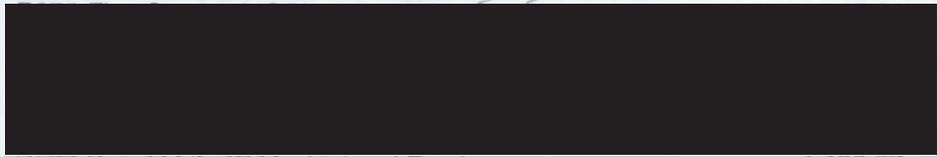
232,069.12

TEXAS DEPARTMENT OF INSURANCE / LIQUIDATION OVERSIGHT CLOSING ACCOUNT

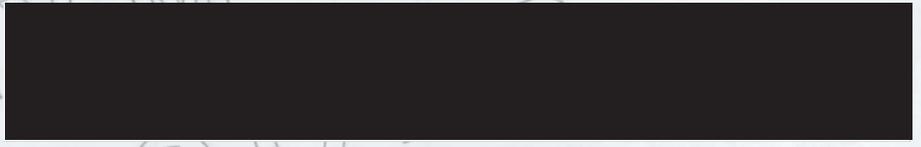
1517

Texas Department of Insurance

11/30/2015



R507-Benefit Life IC/Uncleaimed Funds 4,486.00



PA  
REC

Cash-Liquidator Closi

232,069.12



**TEXAS DEPARTMENT OF INSURANCE**

**Financial Regulation Division - Rehabilitation & Liquidation Oversight (305-1D)**  
333 Guadalupe, Austin, Texas 78701 ★ PO Box 149104, Austin, Texas 78714-9104  
(512) 676-6530 | F: (512) 490-1023 | (800) 578-4677 | TDI.texas.gov | @TexasTDI

# memo

To: [REDACTED] Deputy Chief Financial Officer – Operations/Budget & Planning

From: [REDACTED] Director of Supervisory Interventions *JOA*

CC: [REDACTED] Supervising Analyst *JL*

Date: November 30, 2015

RE: 923 Account Unclaimed Funds

Comments: Attached please find a check payable to the Texas Department of Insurance for \$232,069.12 to be deposited into the 923 unclaimed funds account with the Texas Comptroller's office. This check represents unclaimed funds for the following closed receiverships:

<u>Rec#</u>	<u>Receivership Name</u>	<u>Amount</u>
[REDACTED]	[REDACTED]	[REDACTED]
507	Benefit Life Ins. Co.	4,486.00
[REDACTED]	[REDACTED]	[REDACTED]

TOTAL \$ 232,069.12

Please note that this check is being transmitted to your office in accordance with Texas Ins. Code Ann § 443.304. These are unclaimed funds following closure of the receivership estate.

If you have any questions, or need additional information, please contact Mary Ramos at 512/676-6535.

Thank you for your assistance.



# TEXAS DEPARTMENT OF INSURANCE

Financial Regulation Division - Rehabilitation & Liquidation Oversight (305-1D)  
333 Guadalupe, Austin, Texas 78701 ★ PO Box 149104, Austin, Texas 78714-9104  
(512) 676-6530 | F: (512) 490-1023 | (800) 578-4677 | TDI.texas.gov | @TexasTDI

## memo

To: [REDACTED] RLO Accountant

From: [REDACTED] Supervising Analyst *jk*

CC: [REDACTED] Director of Supervisory Interventions *joa*

Date: November 30, 2015

RE: Transfer of Unclaimed Funds to the 923 Account

Comments: Please prepare a check in the amount of \$232,069.12 to transfer the unclaimed funds from the Liquidator Closing Account to the 923 Account for the following closed receiverships:

<u>Rec#</u>	<u>Receivership Name</u>	<u>Amount</u>
[REDACTED]	[REDACTED]	[REDACTED]
507	Benefit Life Ins. Co.	4,486.00
[REDACTED]	[REDACTED]	[REDACTED]
TOTAL		\$ 232,069.12

These funds represent unclaimed distributions following the closure of the above estates, and will be transferred in accordance with Texas Insurance Code Ann § 443.304.

# EXHIBIT 7

CAUSE NO. GV-002510

STATE OF TEXAS	§	IN THE DISTRICT COURT
<i>Plaintiff,</i>	§	
	§	
v.	§	TRAVIS COUNTY, TEXAS
	§	
BENEFIT LIFE INSURANCE COMPANY	§	
<i>Defendant.</i>	§	353 <sup>RD</sup> JUDICIAL DISTRICT

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NOTICE OF PUBLICATION

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This Court directed the Commissioner of the Texas Department of Insurance (Commissioner) to give notice of her *Motion to Declare Funds Abandoned* by publication in a newspaper of general circulation in Travis County, Texas at least ten (10) days prior to the hearing. The Commissioner has complied with this directive and files this Notice of Publication pursuant to Texas Insurance Code section 443.304(b) and Texas Government Code section 313.004.

The Commissioner provided notice of her Motion to Declare Funds Abandoned, consistent with the form approved by this Court, in the Austin Chronicle on \_\_\_\_\_, 202\_\_. An Affidavit providing proof of publication of the Notice is attached as **Exhibit A**.

Date: \_\_\_\_\_, 202\_\_.

Respectfully submitted,

**KEN PAXTON**  
Attorney General of Texas

**BRENT WEBSTER**  
First Assistant Attorney General

**RALPH MOLINA**  
Deputy First Assistant Attorney General

**AUSTIN KINGHORN**  
Deputy Attorney General for Civil Litigation

**KIMBERLY GDULA**  
Chief, General Litigation Division

/s/ Peter A. Christie

PETER A. CHRISTIE

Assistant Attorney General

Texas State Bar No. 24090033

OFFICE OF THE ATTORNEY GENERAL

P.O. Box 12548, Capitol Station

Austin, Texas 78711-2548

Phone: (512) 979-5789

Fax (512) 302-0667

[Peter.Christie@oag.texas.gov](mailto:Peter.Christie@oag.texas.gov)

*Counsel for Plaintiff, the Commissioner of the  
Texas Department of Insurance*



## Form of Notice by Publication

**To owners of unclaimed funds from the BENEFIT LIFE INSURANCE COMPANY Receivership in Cause No. GV-002510:** The Commissioner of Insurance filed a motion in the Travis County District Court for abandonment of unclaimed funds from the BENEFIT LIFE INSURANCE COMPANY receivership. The motion seeks the court's determination that the unclaimed funds and interest are abandoned and are to be disbursed to an account established by the Commissioner of Insurance to pay general expenses related to the administration of receiverships. The motion lists the names, last known addresses, and amount of unclaimed funds, and is available at [www.tdi.texas.gov/receiverships/abandonfunds.html](http://www.tdi.texas.gov/receiverships/abandonfunds.html). A hearing on the application is set for \_\_\_\_\_, 202, at o'clock \_\_\_\_ at the Travis County Civil and Family Courts located at 1700 Guadalupe Street, Austin, Texas 78701. Please note that this case is not specially assigned to a particular judge under the Travis County Local Rules so the parties must check the docket setting prior to each proceeding, either online or in person in order to determine the courtroom assigned for the proceeding. Assignments will be posted on Friday the week before the proceeding. You must be available when your case is called. Questions about case assignments or locations for proceedings should be directed to the office of the Court Administrator for the Civil District Courts at (512) 854-2484, not a particular court.

### Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Quennette Rose on behalf of Stephen DeVinney

Bar No. 24138110

quennette.rose@oag.texas.gov

Envelope ID: 111115502

Filing Code Description: Motion (No Fee)

Filing Description: THE COMMISSIONER OF THE TEXAS DEPARTMENT OF INSURANCE'S MOTION TO DECLARE FUNDS ABANDONED, APPROVE NOTICE, AND SET HEARING

Status as of 2/12/2026 10:35 AM CST

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Quennette Rose		Quennette.Rose@oag.texas.gov	2/11/2026 9:54:56 AM	SENT