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IN THE CHANCERY COURT OF THE STATE OF TENNESSEE
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY

STATE OF TENNESSEE, *ex rel.* LESLIE A. NEWMAN)
in her official capacity as COMMISSIONER OF)
COMMERCE AND INSURANCE, on behalf of)
the employees of Norwalk Furniture Corporation of)
Tennessee (aka Norwalk Wood Products Division) for)
Tennessee self-insured workers' compensation benefits,)

Petitioner,)
vs.)

MIDWEST EMPLOYERS CASUALTY COMPANY,)
A Missouri domiciled insurance company, and)
NORWALK FURNITURE CORPORATION OF)
TENNESSEE, A Tennessee domiciled corporation.)

Respondents.)

*Re: Bond for Workers' Compensation Self-Insurance of)
Norwalk Furniture Corporation of Tennessee - for claims)
incurred January 1, 1992 to July 1, 2007.)*

No. 09-384-III

CLERK OF CHANCERY COURT
DAVIDSON COUNTY, TENNESSEE

2009 NOV 12 PM 2:28

FILED

NOTICE OF ENTRY REQUESTED

**FINAL ORDER TERMINATING ADMINISTRATION OF BOND FUND,
DISCHARGING ADMINISTRATOR AND
RETURNING UNEXPENDED REMAINDER TO BOND COMPANY**

This Order has been submitted jointly by Petitioner, Commissioner of Commerce and Insurance for the State of Tennessee, who is also Administrator of the Bond Fund, and by Respondent Midwest Employers Casualty Company (MWECC). The Court has not received or been notified of any objection to this Order for over three days after its lodging with the clerk, and considering the entire record of this proceeding, the Court hereby FINDS AND ORDERS as follows:

1. The Commissioner's Administration of the Bond Fund entrusted to her, and the tasks to be accomplished, as set forth in this Court's Order of April 2, 2009, and this Court's Order of July 13, 2009, have been concluded. MWECC paid its full liability to the

Commissioner to establish the Bond Fund and was discharged as to all further liability on its bond. The court-approved Loss Portfolio Transfer (LPT) was accomplished, and the balance in the LGIP of \$11,439.93 was transferred on 10/08/2009 to the claims account, so that the remaining Bond Fund including interest earned thereon, of approximately \$15,690.99, is all in the claims account maintained by the Commissioner, ready to be disposed of by a final order.

2. The Commissioner using part of the Bond Fund has paid the attached Affidavit of Publication and Invoice attached hereto, totaling \$228.80 for the publication of the LPT transaction and instructions for claimants in the Cookeville Herald-Citizen on August 16 and 23, 2009 and has placed instructions on the website of the Department of Commerce and Insurance.

3. The Clerk & Master has reported that there are **no** outstanding court costs to be paid in this matter, due to the amounts pre-paid by the State upon the filing of the action.

4. Respondent MWECC requested reimbursement of certain attorneys fees out of the Bond Fund. Any determination of that matter is found to be unnecessary because the Commissioner and MWECC agree, through undersigned counsel, that MWECC has a reversionary interest in any remaining bond funds not required for the administration of the Bond Fund. The Commissioner recommends, and this Court orders, that Respondent's attorneys fees claim be resolved by the Commissioner returning the unexpended remainder of the Bond Fund on deposit, including the accrued interest, to MWECC, and allowing MWECC to make any payment to its counsel as it sees fit.

5. Any obligations for outstanding claims for workers' compensation benefits were transferred from the Bond Fund to the loss portfolio transferee, and the workers' compensation claims records have been transferred pursuant to the LPT. The Commissioner is unaware of any

further related administrative expenses or activities required. Accordingly, the Administration of the Bond Fund has fulfilled its purpose and should end.

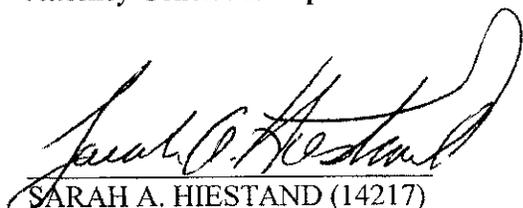
6. The Commissioner is discharged as Administrator of the Bond Fund and the administration is hereby terminated. This is a final order in the case.

IT IS SO ORDERED.


CHANCELLOR

Agreed and Approved for entry by:

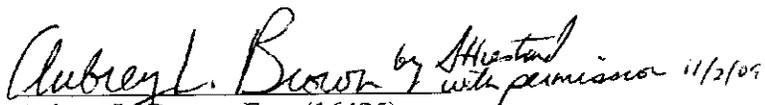
ROBERT E. COOPER, JR. (10934)
Attorney General & Reporter



SARAH A. HIESTAND (14217)
Senior Counsel, Financial Division
Office of the Tennessee Attorney General
P. O. Box 20207
Nashville, TN 37202-0207
(615) 741-6035 fax 532-8223
Attorneys for Petitioner Leslie A. Newman
Commissioner of the Tennessee Department
of Commerce and Insurance, and as
Administrator of the Bond Fund

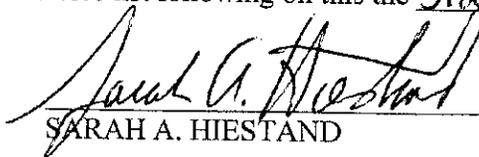
-and-

GLANKLER BROWN


Aubrey L. Brown, Esq. (16425)
One Commerce Square, Ste 1700
Memphis, TN 38103
Direct Dial 901-576-1710
Attorneys for Respondent
Midwest Employers Casualty Company

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Order is being served by United State mail, postage prepaid, on the interested parties, as set forth in the service list following on this the 3rd - day of November, 2009.


SARAH A. HIESTAND

Thomas L. Sandifer
Claims Attorney
Midwest Employers Casualty Company
14755 North Outer Forty Drive, Suite 300
Chesterfield, MO. 63017
Direct Dial 636-449-7148
Tsandifer@mwecc.com

INTERESTED NON PARTIES:

Brentwood National Insurance Company *Original LPT insurer*
104 Continental Place, Suite 200
Brentwood, Tennessee 37027

Safety National Casualty Corporation *Substituted insurer for LPT*
1832 Schuetz Road sent via BSAI
St. Louis, Missouri 63146

Brentwood Services Administrators, Inc.
104 Continental Place, Suite 200
Brentwood, Tennessee 37027
ATTN: Everett Sinor
(615) 263.1300 (tel.) (615) 263.1301 (fax)
Everett.Sinor@bwood.com *Norwalk/TN's Third Party Administrator*

Craig P. Fickling, Esq.
Fickling & Madewell
118 E. First St.
P.O. Box 1483
Cookeville, TN 38503
Phone 931-528-6403; fax 931-520-1628
Attorney for claimant employees Darrell Denney, Clarence Grider and John Shock

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Law Office of David Day, PC
19 South Jefferson Ave., Suite 100
Cookeville, TN 38501
931-528-7002, fax 931-372-8280; david@daviddaypc.com
Attorney for claimant employee Kenneth D. Lane

Dan Rader, III, Esq.
Moore, Rader, Clift & Fitzpatrick
46 North Jefferson Avenue
P.O. Box 3347
Cookeville, TN 38502-3347
Phone: 931-526-3311, fax 931-526-3092
danrader@citlink.net
Norwalk/TN's defense counsel in workers' compensation cases.

SECOND INJURY FUND
STATE OF TENNESSEE

William G. Calhoun, Director of Legal Services, via email delivery to william.calhoun@tn.gov

Josh Baker, Esq.
General Civil Division
Tennessee Attorney General's Office
P.O. Box 20207
Nashville, TN 37202-0207
(handdelivery by intraoffice mail)
Department of Labor and Workforce Development

(No mailing to Norwalk Furniture Corporation of Tennessee as all prior mailings have returned undeliverable and unable to be forwarded).

COPIES TO ATTORNEYS AND PRO SE LITIGANTS
AT THE ABOVE ADDRESSES
DATE 11/16/09 CLERK CS

Herald-Citizen

PO Box 2729
Cookeville, TN 38502-2729

Legal # 547

Office of the TN Attorney General / Financial Division

PO Box 20207

Nashville TN 37202

Acct# 300002

Attn: Sarah Ann Hiestand

State of Tennessee

County of Putnam ss

Mike DeLapp, of the city of Cookeville, in said county and state, being duly sworn, on his oath says that he is the Editor & Publisher of the Cookeville Herald-Citizen, a daily newspaper of general circulation published in said city, and that the notice, a printed copy of which is hereto annexed, was published in said newspaper for two (2) consecutive weeks which publication was made on August 16, 23, 2009

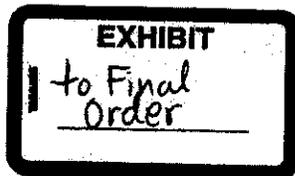
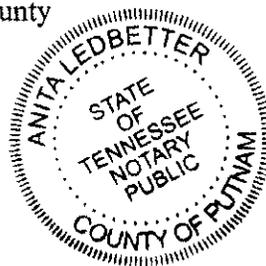
Editor and Publisher

Subscribed and sworn to before me this 24th day of August, 2009.

Notary Public, Putnam County
State of Tennessee

My commission expires 07/23/12

AMOUNT DUE \$228.80



LEGAL NOTICE

In Davidson County Chancery Ct. No. 09-384-III
State of Tennessee ex rel. New-
man, Comms'r of Commerce
and Insurance, on behalf of em-
ployees of Norwalk Furniture
Corporation of Tennessee (aka
Norwalk Wood Products Divi-
sion) for Tennessee self-insured
workers' compensation benefits,
v. Midwest Employers Casualty
Company and Norwalk Furniture
Corporation of Tennessee
NOTICE OF ASSUMPTION OF
LIABILITIES for Tennessee
Workers' Compensation Bene-
fits for Employees of NORWALK
FURNITURE CORPORATION
OF TENNESSEE, aka Norwalk
Wood Products Division, (Em-
ployer) which operated a plant in
Cookeville, Tennessee: The
Employer was self-insured dur-
ing the period January 1, 1992
to July 1, 2007, and in October,
2008, stopped paying any
self-insured workers' compensa-
tion payments. On April 2,
2009, the Davidson County
Chancery Court, ordered bond
funds securing the employer's
self-insurance obligation under
Tenn. Code Ann. § 50-6-405(b)
to be turned over to the Ten-
nessee Commissioner of Com-
merce and Insurance. On July
13, 2009, the Court approved
the Commissioner to use the
fund to purchase coverage from
a Tennessee insurance com-
pany through a loss portfolio
transfer (LPT) for the Employer's
self-insured Tennessee workers'
compensation liability.
Under the LPT, Brentwood Na-
tional Insurance Company as-
sumed insurance obligations to
continue to pay and administer
the valid workers' compensation
benefits due from Norwalk Furni-
ture Corporation of Tennessee.
INSTRUCTIONS: If your date of
injury was between January 1,
1992 and July 1, 2007, to ac-
cess any workers' compensation
benefits or medical care to
which you may be entitled, or to
which you may be entitled by
prior judgment against your Em-
ployer, you must contact the as-
suming insurer's third party ad-
ministrator, Brentwood Services
Administrators, Inc. (BSAI), the
same entity that administered
the Employer's self-insured
workers' compensation claims,
at the contact number below.
Contact BSAI with any and all
notices, claims for coverage, or
questions regarding this Em-
ployer's Tennessee workers'
compensation benefits. Do not
delay if any matter requires at-
tention. The contact information
is as follows:
Eryn Crawford - Claims
Eryn.Crawford@bwood.com
Phone: (615)263-1300 Fax:
(615)263-1301
Brentwood Services Administra-
tors, Inc.
104 Continental Place, Suite
200
Brentwood, TN 37027