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18 *Attorney for the Division of Insurance*

19 **DISTRICT COURT**

20 **CLARK COUNTY, NEVADA**

21 STATE OF NEVADA, EX REL. COMMISSIONER  
22 OF INSURANCE, IN HER OFFICIAL CAPACITY  
23 AS STATUTORY RECEIVER FOR DELINQUENT  
24 DOMESTIC INSURER,

25 Plaintiff,

26 vs.

27 SPIRIT COMMERCIAL AUTO RISK RETENTION  
28 GROUP, INC., a Nevada Domiciled Association  
Captive Insurance Company,

Defendant.

Case No. A-19-787325-B  
Dept. No. 27

**NOTICE OF ENTRY OF  
FINAL ORDER SETTING CLAIMS  
FILING DEADLINE FOR SPIRIT AUTO  
RISK RETENTION GROUP, INC.  
AND RELATED RELIEF**

1           **YOU AND EACH OF YOU** will please take notice that the *Final Order Setting Claims Filing*  
2 *Deadline for Spirit Auto Risk Retention Group, Inc. and Related Relief* was entered on the 6<sup>th</sup> day of  
3 November 2019. A copy of the same is attached hereto.

4                           DATED this 6<sup>th</sup> day of November 2019.

6   /s/ Kara Hendricks

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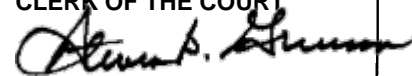
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1 **CERTIFICATE OF SERVICE**

2 Pursuant to Nev. R. Civ. P. 5(b)(2)(D) and E.D.C.R. 8.05, I certify that on this 6<sup>th</sup> day of  
3 November 2019, I caused a true and correct copy of the foregoing *Notice of Entry of Final Order*  
4 *Setting Claims Filing Deadline for Spirit Auto Risk Retention Group, Inc. and Related Relief* to  
5 be filed with the Clerk of Court using the Odyssey e-FileNV Electronic Service system and served on  
6 all parties with an email address on record, pursuant to Administrative Order 14-2 and Rule 9 of  
7 the N.E.F.C.R.

8 The date and time of the electronic proof of service is in place of the date and place of deposit in  
9 the mail.

10 /s/ Andrea Lee Rosehill  
11 Employee of Greenberg Traurig, LLP



1 **ORD**  
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18 STATE OF NEVADA, EX REL. COMMISSIONER  
OF INSURANCE, IN HER OFFICIAL CAPACITY  
19 AS STATUTORY RECEIVER FOR  
20 DELINQUENT DOMESTIC INSURER,

21 Plaintiff,

22 vs.

23 SPIRIT COMMERCIAL AUTO RISK  
24 RETENTION GROUP, INC., a Nevada Domiciled  
Association Captive Insurance Company,

25 Defendant.  
26  
27  
28

Case No. A-19-787325-B  
Dept. No. 27

**FINAL ORDER SETTING CLAIMS**  
**FILING DEADLINE FOR SPIRIT AUTO**  
**RISK RETENTION GROUP, INC. AND**  
**RELATED RELIEF**

1 This matter came before the Court on the 24<sup>th</sup> day of October, 2019 on Motion for an Order Setting  
2 a Claims Filing Deadline and Related Relief (“Motion”) by the Commissioner of Insurance, Barbara D.  
3 Richardson, in her Official Capacity as Permanent Receiver of Spirit Commercial Auto Risk Retention  
4 Group, Inc. (“Spirit”). The Court having reviewed the Motion and exhibits in support thereof, and having  
5 considered the arguments made by counsel at the hearing and the evidence in the record, and good cause  
6 appearing,

7 IT IS HEREBY ORDERED, ADJUDGED and DECREED that:

- 8 1. The proposed Proof of Claim (“POC”) procedure described in the Motion, including the forms  
9 and instructions attached as Exhibits 1-3 to the Motion, are approved;
- 10 2. The proposed Receivership Appeal Procedure described in the Motion, including the forms and  
11 instructions attached as Exhibits 3 & 4 to the Motion, are approved.
- 12 3. Claim and appeal processing procedures substantially in the form as those described within and  
13 presented as Exhibits to the Motion comply with applicable Nevada law, and are within the  
14 authority granted to the Receiver by the Permanent Receivership Order and applicable Nevada  
15 law;
- 16 4. The proposed notice procedures described in the Motion are approved, and the Court finds that  
17 notice procedures in the same or substantially similar form comply with the requirements of  
18 Nevada law and due process (including the form of notice attached as Exhibit 1 to the Motion);
- 19 5. Concurrently herewith, this Court is entering a Final Order placing Spirit into liquidation (the  
20 “Liquidation Order”);
- 21 6. The rights of parties regarding claims against Spirit are fixed as of the date of the Liquidation  
22 Order pursuant to NRS 696B.400, except to the extent that the rights of claimants with contingent  
23 or unliquidated claims are protected by NRS 696B.400 and 696B.450.
- 24 7. Spirit’s claims against others are not fixed as of the date of the Liquidation Order.
- 25 8. **October 31, 2020, is established as the deadline (the “Claim Filing Deadline”) for filing and  
26 rendering absolute, non-contingent, and liquidated in amount, claims against Spirit;**
- 27 9. All claims against Spirit not postmarked on or before October 31, 2020 and received at the address  
28 specified by the Receiver will be deemed not timely filed and shall be barred, not subject to

1 processing by the Receiver, and ineligible to share in any distribution of the assets of the estate –  
2 Spirit shall have no liabilities as to any such late-filed claims;

3 10. Claims which have not been rendered absolute (*i.e.* both liquidated in amount and non-contingent)  
4 on or before the Claims Filing Deadline may not share in the assets of the receivership estate  
5 (subject to any applicable exceptions found in NRS 696B.450, which will be in the Receiver's  
6 sole discretion to determine);

7 11. All other relief requested by the Motion is hereby granted; and

8 12. This order is designated as a Final Order pursuant to NRS 696B.190(5).

9 DATED this 24 day of Oct. 2019.

10  
11 Nancy L. Alf  
12 District Court Judge

13 Respectfully submitted by:

14  
15 By: Kara B. Hendricks  
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