



Spirit Commercial Auto Risk Retention Group, Inc.,

in Receivership for Liquidation

Barbara D. Richardson, Receiver
Cantilo & Bennett, L.L.P., Special Deputy Receiver

RECEIVERSHIP CLAIMS AND APPEALS
PROCEDURE AND INSTRUCTIONS

Proofs of Claim (“POC”)

1. Claims must be submitted to the Special Deputy Receiver (“SDR”) on or before the Claims Filing Deadline of **October 31, 2020**, or else will be forever barred from sharing in the assets of the receivership estate of Spirit Commercial Auto Risk Retention Group, Inc. (“Spirit”). In order for a POC to be considered timely filed, it must be postmarked or delivered to the SDR on or before the October 31, 2020, Claims Filing Deadline. Claims that have not been rendered absolute (*i.e.*, both liquidated in amount and non-contingent) on or before October 31, 2020, may not share in the assets of the estate (subject to any exceptions found in NRS 696B.450, which will be in the Receiver’s sole discretion to determine). Failure to complete the POC Form according to the instructions may cause your claim to be delayed or disallowed.
2. If you have a policy claim and it has previously been reported to Spirit or a third-party claims administrator for Spirit, please note this on the POC Form and provide any reference numbers previously assigned to your claim.
3. All claims submitted to the SDR must be accompanied by a signed and notarized POC Form (available for download at www.spiritinsure.com). All claims shall set forth in reasonable detail the amount of the claim, or the basis upon which that amount can be ascertained, the facts upon which the claim is based, and the priorities asserted, if any. Claims must be verified by the affidavit of the claimant (or someone authorized to act on behalf of the claimant and having knowledge of the facts) and be supported by the applicable written documentation or proof. Blank or substantially incomplete POC Forms will not be processed, and will be rejected by the SDR. Claimants may request a status update on their claim by contacting the SDR at any time, but should not make duplicate claim submissions as doing so wastes the assets of the estate (and the SDR reserves the right to apply an offset of cost to recoup the processing cost for duplicate submissions).
4. The SDR will review each claim received and assign it a priority classification as provided by NRS 696B.420. The SDR is not required to process any claims in a class until it appears that assets will be available for distribution to that class. If there are insufficient assets to process claims for a class, the SDR shall notify the court and may make a recommendation to the court for the processing of any such claims.
5. After the last date for filing a claim (October 31, 2020), as directed by the court and subject to the above provisions herein, the SDR shall determine whether to approve or deny, in whole or in part, each claim filed with the SDR pursuant to this procedure and shall mail, by first-class mail, postage prepaid, to each claimant that filed a claim with the SDR, written notice of the determination regarding the claim. The notice of claim determination will inform the claimant of when the claimant’s appeal must be sent to the SDR. The procedure for appeal is described further below.
6. The SDR shall submit to the court a report of each claim approved in whole or in part.

Receivership Appeal Procedure (“RAP”)

*This appeal procedure applies to those who have filed a POC against the Spirit estate. Others may utilize this RAP to appeal decisions of the Receiver concerning non-claim matters if the decision may affect a financial interest, contract right, or legal entitlement of the person making the appeal. **Appeals of any kind must be received by the SDR within sixty (60) days of the determination that is being appealed, or the determination will be final.** Any questions about appeal deadlines should be directed to the SDR using one of the methods of contact listed below. Please refer to the following paragraphs to file an appeal.*

7. Not more than sixty (60) days after the later of the mailing of the written notice of claim determination, or of any report to the court concerning a claim determination, a person may file with the SDR an objection to the determination of the SDR on the claim that is the subject of the mailed “written notice” or the “report” to the court. To be timely, the appeal must be received by the SDR on or before the appeal due date. This applies to any written determination of the SDR.
8. Failure to file a timely appeal of a determination with the SDR will waive any right of the claimant to pursue his, her, or its claim against Spirit, and the SDR’s determination will become final and non-appealable.
9. Appeals should be submitted using the appeal form found at www.spiritinsure.com. An appeal should, at a minimum, include a brief explanation, clearly reference the determination or matter that is being appealed (including any applicable claim reference numbers), and state the claimant’s desired outcome. Appeals must be in writing and should be sent by mail to the SDR at the address below. A method that allows for tracking (U.S. Certified Mail, Fedex, UPS, etc.) is recommended but not required.
10. If an appeal is timely filed following the requirements of this RAP, the SDR will work to resolve the appeal based upon information submitted. The SDR will submit to the court a report on the determination of the SDR on each claim to which an unresolved appeal has been filed. The court shall fix a time for a hearing on such claims and shall direct the SDR to give notice of the hearing. The notice provided by the SDR must:
 - a. Be sent to the claimant by first-class U.S. mail, postage prepaid, not more than thirty (30) days and not less than ten (10) days before the hearing, on any claim to which an objection has been filed; and
 - b. Specify the time and place of the hearing.
11. A hearing may be conducted by the court or by a master or referee appointed by the court. If a hearing is conducted by a master or referee, the master or referee shall submit findings of fact and recommendations to the court. The court shall enter an order approving or denying, in whole or in part, a claim filed against an insurer. Any such order is an appealable order.
 - a. An order by the trial court may be appealable to the Supreme Court of Nevada in accordance with Nevada Supreme Court Rules.
 - b. An order by the trial court that is not timely appealed to the Supreme Court of Nevada is deemed “final.”

Submit POC Forms, appeals, and other Spirit-related correspondence by mailing to the SDR:

CANTILO & BENNETT, L.L.P.

Attention: Spirit SDR

P. O. Box 184

Austin, Texas 78767

Direct all questions, comments, or concerns regarding policy claims or appeals to:

1-833-242-6823