

CONFORMED COPY  
ORIGINAL FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

OCT 29 2013

John A. ... Executive Officer/Clerk  
By Raul Sanchez Deputy

1 ROBERT H. NUNNALLY, JR.  
State Bar Number 134151  
2 WISENER \*NUNNALLY \*GOLD, LLP  
245 Cedar Sage, Suite 240  
3 Garland, Texas 75040  
(972) 530-2200  
4 Fax: (972) 530-7200  
E-mail Robert@wnglaw.com  
5  
6 Attorneys for Insurance Commissioner as Trustee

7  
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF LOS ANGELES

10 DAVE JONES, Insurance Commissioner of  
11 the State of California,  
12 Applicant,  
13 vs.  
14 MISSION INSURANCE COMPANY, a  
15 California corporation,

Case No. C 572 724

Honorable John L. Segal

THE INSURANCE COMMISSIONER'S  
STATUS CONFERENCE REPORT  
AND UPDATED CLOSING PLAN

16 Respondent.

Date: November 14, 2013  
Time: 8:30 a.m.  
Department 50

BY FAX

17 Consolidated with Case Numbers  
18 C 576 324; C 576 416;  
19 C 576 323; C 576 325; C 629709

Action Filed: October 31, 1985

1 Dave Jones, Insurance Commissioner of the State of California, in his capacity as  
2 Trustee of the Mission Insurance Company Trust, the Mission National Insurance Company  
3 Trust and the Enterprise Insurance Company Trust ("Insurance Commissioner"), hereby submits  
4 this Status Report and advises the Court as follows:

5 **The Status of the Case**

6 This case arises from the insolvency of Mission Insurance Company, Mission National  
7 Insurance Company and Enterprise Insurance Company. Each of these large property and  
8 casualty insurers entered conservation on October 31, 1985 and entered liquidation on February  
9 23, 1987. Since that time, the Insurance Commissioner as Liquidator has adjusted the claims and  
10 marshaled the assets, with the assistance of a staff of former personnel of the insurance  
11 companies and of employees of the Insurance Commissioner's Conservation and Liquidation  
12 Office. Over 166,000 proof of claim forms went out in this matter, and over one billion dollars  
13 in assets were collected in this matter. Each policyholder of the companies holding an approved  
14 claim has been approved for a distribution of one hundred cents on the dollar of the principal  
15 amount of her, his or its approved claim(s). The distributions have resulted in over a billion  
16 dollars being paid to policyholders.

17 The Court approved a rehabilitation plan in 1990 in which the insurance company  
18 corporations were transferred, while all liabilities were transferred to liquidating trusts for  
19 administration with the Insurance Commissioner as Trustee. Covanta Holding Corporation is the  
20 ultimate parent company of the now-transferred insurance companies. The Insurance  
21 Commissioner is now Trustee of the Mission Insurance Company Trust, the Mission National  
22 Insurance Company Trust, and the Enterprise Insurance Company Trust, which administer the  
23 remaining assets and claims. Mission Insurance Company Trust and Enterprise Insurance  
24 Company Trust continue to have outstanding general creditor obligations, while Mission  
25 National Insurance Company Trust has outstanding interest obligations.  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## I. Developments

Enterprise Insurance Company Trust, Mission National Insurance Company Trust and Mission Insurance Company Trust obtained a closing order in 2006. The trusts have distributed substantial assets, but each trust has substantial assets which have not been distributed. Additional assets continue to be collected. The trusts have been waiting to make their final distributions until further events take place. These events and the developments and progress in resolving the remaining issues are:

### 1. The Trusts have collected additional reinsurance recoveries:

In the past, the three trusts have collectively recovered over one billion dollars in reinsurance due to the three companies, and further millions in settlements with directors, officers and accountants for the liquidated companies. This was accomplished in significant part through negotiation and in significant part through reinsurance litigation against hundreds of reinsurers.

One of the reinsurers against whom the Insurance Commissioner as Trustee pursued litigation is Universale Ruckversicherungs, a Swiss reinsurer. Universale Ruckversicherungs ended up in receivership in Switzerland. In the last status report, the Insurance Commissioner reported on receiving a distribution from that receivership. The Insurance Commissioner is pleased to report a further collection on this receivership. A claims distribution was received by each of the trusts in the following amounts:

Mission Insurance Company Trust: \$ 261,210

Mission National Insurance Company Trust: \$ 792,726

Enterprise Insurance Company Trust: \$ 26, 026.

Further distributions may yet occur from Universale Ruck.

### 2. The Trusts have continued to pursue a release from the United States Department of Justice

The Insurance Commissioner as Trustee applied for a release in 2011 from any super-

1 priority claims from the United States Department of Justice. In past status reports, the  
2 Insurance Commissioner described how the Insurance Commissioner submitted a request for a  
3 super-priority release and how the Insurance Commissioner had responded to requests for further  
4 information with a submission of the requested further information. Prior status reports advised  
5 that Enterprise Insurance Company Trust obtained its release, but the request for a release by  
6 Mission Insurance Company Trust and Mission National Insurance Company Trust remain  
7 pending.

8         The Insurance Commissioner's counsel has spoken with counsel for the Department of  
9 Justice on more than one occasion in the intervening months since the last status report. During  
10 the Summer of 2013, counsel for the Department of Justice advised that the Environmental  
11 Protection Agency had developed new software to assist it in processing releases. On September  
12 30, 2013, she further advised that the new software had generated a list of claims about which  
13 the Department of Justice had further requests for information. She advised on September 30,  
14 2013 that the print-out was being refined, and should be ready within a few weeks, barring a  
15 federal government shut-down. Unfortunately, on October 1, 2013, the federal government did  
16 shut down, resulting in a period of delay. The shut-down is over. The Insurance Commissioner's  
17 CLO staff awaits a further communication from the United States Department of Justice, so that  
18 it can answer the further questions that agency or the Environmental Protection Agency may  
19 have. The Insurance Commissioner cannot predict what requests will be made, nor their possible  
20 impact upon the timing or situation with any distributions.

21  
22         **3. The Trusts await the conclusion of the the tax review of Covanta, which Covanta's**  
23         **reports advise is progressing**

24         Mission Insurance Company Trust, Mission National Insurance Company Trust and  
25 Enterprise Insurance Company Trust are part of the Covanta Holding Corporation consolidated  
26 tax return. The Insurance Commissioner previously advised the Court that a tax review for the  
27 tax years 2004-2009 is underway. The latest Covanta Holding Corporation 10Q for the quarterly  
28 period ended September 30, 2013 reports as follows in pertinent part:

1  
2 “The IRS is currently auditing our tax returns for the years 2004 through 2009, which includes  
3 years during the carryforward period including returns in which some of the losses giving rise to  
4 the NOLs that were reported. In connection with this audit, the IRS has proposed certain  
5 adjustments to our 2008 tax return. We do not believe such proposed adjustments are consistent  
6 with applicable rules, and we have challenged them through the IRS's administrative appeals  
7 procedures. If we are unsuccessful in challenging such adjustments, some portion of the NOLs  
8 would not be available to offset consolidated taxable income, and/or we could be required to pay  
9 federal income taxes (and potentially interest and penalties) for prior years.

10 This Court has already approved a rehabilitation plan implementation agreement, in  
11 which Covanta Holding Corporation agreed to indemnify the Insurance Commissioner as Trustee  
12 as to certain tax issues. Based on the foregoing, it continues to appear that the audit is  
13 progressing toward a resolution, but that an administrative appeal arising from the audit result is  
14 underway which will require resolution.

15 **The E-ferol Litigation has Finally Concluded as to Mission**

16 The e-ferol claimants are a set of claimants who did not timely file proofs of claim  
17 as of the bar date for filing proofs of claims on September 12, 1987. They filed a lawsuit in the  
18 United States District Court for the Northern District of Texas entitled *Victoria Klein and Ashley*  
19 *Swadley v. Federal Insurance Co., et al*, Case Number CA 7-03-CV-102-D, pending in the  
20 United States District Court for the Northern District of Texas, Wichita Falls Division. That  
21 Court abstained in favor of this Court's jurisdiction. During 2013, this case has been finalized.  
22 This Court ruled in the Insurance Commissioner's favor after a claims rejection under California  
23 Insurance Code Section 1032, and the Insurance Commissioner has now been dismissed from the  
24 Texas federal action.

25 **4. Other assets have the potential to generate collections**

26 Centaur Insurance Company, an Illinois insurer in rehabilitation, has approved a  
27 substantial proof of claim in favor of the Mission Insurance Company Trust. No distributions  
28 have yet been made on this proof of claim. The most recent status report to the receivership court  
for the Centaur Insurance Company [Centaur] receivership indicates that the Environmental

1 Protection Agency (“EPA”) has asserted unliquidated claims relating to 113 different  
2 environmental waste sites, and that a dialogue between the Centaur Rehabilitator, EPA and the  
3 United States Department of Justice is underway. The Insurance Commissioner cannot state  
4 when the Centaur Rehabilitator will make a distribution on the approved proof of claim of  
5 Mission Insurance Company Trust, given this possible federal claim, and cannot project the  
6 amount, of any, of such distributions.

7 **5. The Trust extension motion**

8 Once the federal tax issues and the federal release issues are solved, the time to make  
9 distributions from the trust and final wind-up will begin to arise. Until that time, the trusts must  
10 be kept alive to administer these assets. A Motion to extend their lives three more years is set on  
11 November 14, 2013. The plan is not to stay open three more years, though, but to distribute from  
12 the trusts when the two federal matters are resolved. The trust extension motion is to formally  
13 keep the trusts alive for three more years while these things happen.

14  
15 **6. A Further Enterprise Distribution**

16 Enterprise Insurance Company Trust has made final distributions to all of its creditors  
17 except Creditors who are affiliates. Enterprise Insurance Company Trust has its Department of  
18 Justice release. The Insurance Commissioner plans to file a motion to make a further distribution  
19 of assets from Enterprise Insurance Company Trust to be filed during 2013, to further wind up  
20 this trust’s operations and leave it as a trust with just enough assets to close it in hand.

21  
22 **II. Financial Status of the Trusts**

23  
24 Attached as Exhibit “A” is a statement of assets and liabilities for the Trusts. The Trustee  
25 continues to hold a substantial sum of money in reserve for unknown and unexpected  
26 contingencies. Because interested parties have posed questions about the inter-company  
27 obligations of the Trusts, a page has been added to address that.

28 The Insurance Commissioner does not include a timeline with this filing, because the

1 time line would just continue to be reset until the federal issues set forth above are resolved. The  
2 trusts have final distributions to make once the federal issues, including any tax issues, and any  
3 remaining collection and distribution issues are resolved. A federal issue also affects one of the  
4 assets of the estate, because the Insurance Commissioner has an approved multi-million dollar  
5 proof of claim against Centaur Insurance Company, but distributions on this proof of claim have  
6 been delayed by the Centaur rehabilitator pending its pursuit of a federal release. If the federal  
7 issues reach a resolution, then the Insurance Commissioner will file a motion to make further  
8 distributions.

9  
10  
11  
12 **Conclusion:**

13 The wind-up of this case is continuing, with the continued factor of an IRS review of the  
14 Covanta tax situation, and a request to get clearance in light of the lack of any other federal  
15 claims. The Court is requested to set a July 2014 further status conference.

16 Respectfully submitted,

17 WISENER\*NUNNALLY\*GOLD, LLP

18  
19   
20 \_\_\_\_\_  
Robert H. Nunnally, Jr.

21 245 Cedar Sage, Suite 240  
22 Garland, Texas 75040  
23 (972) 530-2200  
24 Fax: (972) 530-7200  
25 E-mail Robert@wnglaw.com  
26  
27  
28

**CONSOLIDATED: Mission Ins Cos**  
**STATEMENT OF ASSETS AND LIABILITIES**  
As of August 31, 2013

	672	170	540	
	<b>Mission</b>	<b>Mission National</b>	<b>Enterprise</b>	<b>TOTAL</b>
<b>ASSETS</b>				
Participation in pooled investments, at market	108,360,000	24,357,300	7,373,000	140,090,300
Accrued investment income	288,300	64,800	19,600	372,800
Recoverable from reinsurers	21,302,100	4,335,000	-	25,637,100
Receivable from affiliates	23,816,400	-	-	23,816,400
Other receivable	-	51,800	-	51,800
<b>Total Available Assets</b>	<b>153,766,800</b>	<b>28,808,900</b>	<b>7,392,600</b>	<b>189,968,400</b>
<b>LIABILITIES</b>				
Secured claims	1,173,300	1,886,800	661,200	3,721,200
Accrued administrative expenses	77,580,200	15,867,000	579,300	94,026,500
Claims against policies, including guaranty associations, before distributions	846,832,600	596,098,500	120,573,400	1,563,504,500
Early access and other Class 2 distributions	(846,832,600)	(499,851,900)	(120,573,400)	(1,467,257,800)
Payable to affiliates	78,724,300	36,075,900	35,556,300	150,356,500
All other claims	119,714,200	(19,237,800)	(4,775,400)	95,701,000
<b>Total Estimated Liabilities</b>	<b>277,192,000</b>	<b>130,838,500</b>	<b>32,021,400</b>	<b>440,051,900</b>
<b>NET ASSETS (DEFICIENCY)</b>	<b>(123,425,200)</b>	<b>(102,029,600)</b>	<b>(24,628,800)</b>	<b>(250,083,500)</b>

**CONSOLIDATED: Mission Ins Cos**  
**STATEMENT OF ASSETS AND LIABILITIES**  
As of August 31, 2013

	672	170	540		
	Mission	Mission National	Enterprise	TOTAL	
<b>ASSETS detail</b>					
Cash and Investments					
12001	Participation in Pooled Investment	108,360,010	24,357,285	7,372,968	140,090,262
	Cash and Investments	108,360,010	24,357,285	7,372,968	140,090,262
13015	Accrued Int & Div Receivable	288,322	64,811	19,627	372,760
Reinsurance Receivable					
13001	Rein Recoverable-Paid	42,888,499	9,454,909	-	52,343,408
13003	Allow For Uncoll Rein Receivable	(21,586,436)	(5,119,864)	-	(26,706,300)
	Reinsurance Receivable	21,302,063	4,335,045	-	25,637,108
Receivable from affiliates					
13012.MIC	Receivable from Mission	-	-	20,102,902	20,102,902
13012.EIC	Receivable from Enterprise	-	17,518,314	-	17,518,314
13012.HAIC	Receivable from Holland America	39,649,980	-	-	39,649,980
13012.1	Allowance for Receivable from Affiliates	(15,833,536)	(17,518,314)	(20,102,902)	(53,454,752)
	Receivable from Affiliates Net of Allowance	23,816,444	-	-	23,816,444
Other Receivables					
13018	Other Receivables	-	172,580	-	172,580
13019	Allow Uncoll Acct-Other Rec	-	(120,762)	-	(120,762)
	Other Receivable	-	51,818	-	51,818
<b>Total Available Assets</b>					
	153,766,840	28,808,958	7,392,595		189,968,393
<b>LIABILITIES detail</b>					
Secured Claims					
22001	Unclaimed Funds Payable	1,173,252	1,886,786	661,189	3,721,226
	Secured Claims	1,173,252	1,886,786	661,189	3,721,226
Class 1: Payables and Accrued Expenses					
25001	Due To/From Intercompany Acct	1	1	(1)	2
26001	Fed Income Tax Payable Post Liq	77,580,230	15,866,986	579,326	94,026,542
	Class 1 Liabilities	77,580,231	15,866,987	579,325	94,026,544
Class 2: Losses, Reserves and non-IGA Claims					
28001	Loss & ALAE Reserve	-	110,872,815	-	110,872,815
28006	Liability Due to GAs	661,199,259	284,717,623	119,667,566	1,065,584,448
29001	Other Class 2 Payable	185,633,302	200,508,039	905,850	387,047,191
	Class 2 Liabilities before Distributions	846,832,561	596,098,477	120,573,416	1,563,504,454
Early Access and Other Class 2 Distributions					
28007	Advances to Guaranty Associations	(661,199,259)	(337,936,554)	(119,667,564)	(1,118,803,377)
41005	Class 2 Distributions	(177,960,427)	(159,300,375)	(905,850)	(338,166,652)
41012	Distributions on Behalf of Domiciliary	(7,672,875)	(2,614,935)	-	(10,287,810)
	Early access and other Class 2 distributions	(846,832,560)	(499,851,864)	(120,573,414)	(1,467,257,838)
Class 3, 5 & 6: Calif and Federal claims					
27003	Premium Tax Payable - Class 3	111,132	-	39,680	150,813
41002	Class 3-6 Distributions	(111,132)	-	(39,680)	(150,813)
	Class 3, 5 & 6 Liabilities	-	-	-	-

**CONSOLIDATED: Mission Ins Cos**  
**STATEMENT OF ASSETS AND LIABILITIES**  
As of August 31, 2013

	672	170	540	
	<u>Mission</u>	<u>Mission National</u>	<u>Enterprise</u>	<u>TOTAL</u>
Class 7: Payable to Affiliates				
30002.MIC Payable to Mission	-	22,778,042	-	22,778,042
30002.MNIC Payable to Mission National	21,729,091	-	20,066,797	41,795,887
30002.EIC Payable to Enterprise	40,205,805	-	-	40,205,805
30002.HAIC Payable to Holland America	11,543,156	-	10,644,646	22,187,802
30002.MRC Payable to Mission Re	5,246,200	-	4,844,861	10,091,061
30002.INT Interest Payable to Affiliates	-	13,297,901	-	13,297,901
Class 7 Payable to Affiliates	<u>78,724,251</u>	<u>36,075,943</u>	<u>35,556,304</u>	<u>150,356,497</u>
Class 7: All Other Claims				
30005 Reinsurance Payable	383,122,808	5,396,962	-	388,519,771
30008 Other Class 7 Liabilities	2,255,708	2,442,517	563,996	5,262,220
41006 Class 7 Distributions	<u>(265,664,289)</u>	<u>(27,077,326)</u>	<u>(5,339,393)</u>	<u>(298,081,008)</u>
Class 7 Liabilities	<u>119,714,227</u>	<u>(19,237,847)</u>	<u>(4,775,398)</u>	<u>95,700,983</u>
<b>Total Estimated Liabilities</b>	<u>277,191,961</u>	<u>130,838,481</u>	<u>32,021,422</u>	<u>440,051,865</u>
<b>NET ASSETS (DEFICIENCY)</b>	<u>(123,425,121)</u>	<u>(102,029,523)</u>	<u>(24,628,827)</u>	<u>(250,083,472)</u>

**PROOF OF SERVICE: By REGULAR MAIL**  
**(Code Civ. Proc., ' ' 1013, 2015.5)**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

STATE OF TEXAS, COUNTY OF DALLAS.

I am employed in the County of Dallas, State of Texas. I am over the age of 18 and not a party to the within action; my business address is 245 Cedar Sage Drive, Suite 240, Garland, Texas 75040.

On this date, I served the foregoing document described as **THE INSURANCE COMMISSIONER'S STATUS CONFERENCE REPORT AND UPDATED CLOSING PLAN** by placing a copy thereof enclosed in sealed envelopes addressed as follows:

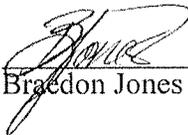
Sent via FIRST CLASS MAIL to:  
The Attached List

I am readily familiar with my employer=s practices of collection and processing correspondence for mailing with the U.S. Postal Service and the above-referenced correspondence will be deposited with the U.S. Postal Service on the same date as stated below, following the ordinary course of business.

X  (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

\_\_\_ (Federal) I declare that I am employed by the office of a member of the bar of this court at whose direction the service was made.

Executed on October 29, 2013 at Garland, Texas.

  
\_\_\_\_\_  
Bradon Jones

New York Liquidation Bureau  
Attn: Mission - Nicholas L. Cremonese  
110 William Street  
New York, New York 10038-3889

John Horner  
Conservation & Liquidation Office  
P.O. Box 26894  
San Francisco, CA 94126

Robb Canning, Vice President  
Guy Carpenter  
One State Street, Suite 1500  
Hartford, CT 06103

John C. Craft, Esq.  
Lathrop & Gage Law Offices  
2345 Grand Blvd. Suite 2800  
Kansas City, MO. 64108-2612

Pamela Webster, Esq.  
Buchalter, Nemer, A Professional Corporation  
1000 Wilshire Blvd., 15th Floor  
Los Angeles, CA 90017

Jean L. Bertrand, Esq.  
Morgenstein & Jubelirer  
One Market Plaza, Spear St., 32d Fl  
San Francisco, CA 94105

General Counsel  
GAF Corporation  
1361 Alps Road  
Wayne, NJ 07470

Eric Lipsitt, Esq.  
Howard & Howard Attorneys, PC  
39400 Woodward Ave Ste 101  
Bloomfield Hills, MI 48304

Scott Pearce  
Conservation & Liquidation Office  
P.O. Box 26894  
San Francisco, CA 94126

Dean Hansell, Esq.  
Dewey & LeBoeuf LLP  
333 South Grand Ave., Ste 2600  
Los Angeles, CA 90071-1530

C. Guerry Collins, Esq.  
Lord, Bissell & Brook  
300 South Grand Avenue, 8th Floor  
Los Angeles, CA 90071

Wayne Wilson  
California Insurance Guarantee  
700 N. Brand Blvd. #12TH-FL  
Glendale, CA 91203-1247

Mark Egerman, Esq.  
9401 Wilshire Boulevard #500  
Beverly Hills, CA 90212

Stephan Mills, Esq.  
Zemanek & Mills  
11845 W. Olympic Blvd, Suite 625  
Los Angeles, CA 90064

Jack Hom, Esq.  
California Dept. of Insurance  
45 Fremont Street, 24th Floor  
San Francisco, CA 94105

Scott Gilbert  
Gilbert Heintz & Randolph LLP  
1100 New York Ave., NW, Ste 700  
Washington, DC 20005-3987

Edward D. Chapin, Esq.  
Chapin Wheeler, LLP  
550 West C Street, Ste 2000  
San Diego, CA 92101

Michael L. Cioffi  
Blank Rome, LLP  
PNC Center 201 East Fifth St., Ste. 1700  
Cincinnati, OH 45202

Stephen A. Marshall  
Sonnenschein Nath & Rosenthal, L.L.P.  
1221 Avenue of the Americas, 24th Floor  
New York, NY 10020-1089

Amy Fink, Esq.  
Howrey, Simon, Arnold & White, L.L.P.  
550 S. Hope St., 14th Floor  
Los Angeles, CA 90071

Vernon K. Jones  
29518 Rd. 156  
Visalia, CA 93295

Jordan Stanzler, Esq.  
Stanzler, Funderburk, & Castellon, L.L.P.  
2275 E Bayshore Rd Ste 100  
Palo Alto, CA 94303-3222

Robert M. Mason, III, Esq.  
Bergman & Dacey, Inc.  
10880 Wilshire Blvd., Suite 900  
Los Angeles, CA 90024

John E.V. Pieski, Esq.  
Suite 400 Kane Building  
116 North Washington Avenue  
Scranton, PA 18501-0234

David DeGroot, Esq.  
Sheppard, Mullin, Richter & Hampton, LLP  
Four Embarcadero Center, 17th Floor  
San Francisco, CA 94111

David P. Schack  
Kirkpatrick & Lockhart, L.L.P.  
10100 Santa Monica Blvd., 7th Floor  
Los Angeles, CA 90067

David G. Stone  
Neal, Gerber & Eisenberg, LLP  
2 N. LaSalle Street, Suite 2200  
Chicago, IL 60602

Claudia M. Morehead, Esq.  
The Morehead Firm  
2901 W. Coast Highway, Ste. 200  
Newport Beach, CA 92663

D. Douglas Shureen  
McMillan & Shureen  
50 Santa Rosa Ave., 5th Floor  
Santa Rosa, CA 95404

Darrell J. Hieber, Esq.  
Skadden, Arps, Slate, Meagher & Flom, L.L.P.  
300 S. Grand Ave., Ste. 3400  
Los Angeles, CA 90071

Gregory O. Eisenreich  
Barger & Wolen LLP  
633 W. 5th Street, 47th Floor  
Los Angeles, California 90071

James D. Scrimgeour, Esq.  
St. Paul Travelers Companies, Inc.  
One Tower Square  
Hartford, CT 06101

Kim Winter  
Lathrop & Gage L.C.  
2345 Grand Blvd., Ste. 2800  
Kansas City, MO 64108-2684

Jeffrey M. Vucinich, Esq.  
Clapp Moroney Bellagamba & Vucinich  
1111 Bayhill Dr., Ste 300  
San Bruno, CA 94111

Peter F. McAweeney  
Morgan, Lewis & Bockius LLP  
One Market, Spear Street Tower  
San Francisco, CA 94105-1126