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

10 STEVE POIZNER, Insurance Commissioner  
of the State of California,

11 Applicant,

12 vs.

13 MISSION INSURANCE COMPANY, a  
14 California corporation,

15 Respondent.

16 Consolidated with Case Numbers

17 C 576 324; C 576 416;  
18 C 576 323; C 576 325; C 629709

) Case No. C 572 724

) Honorable John Shepard Wiley Jr.

) **NOTICE OF MOTION AND MOTION TO**  
) **APPROVE DISTRIBUTIONS TO CLAIMANTS**  
) **AGAINST MISSION INSURANCE COMPANY**  
) **TRUST AND MISSION NATIONAL**  
) **INSURANCE COMPANY TRUST;**  
) **MEMORANDUM OF POINTS AND**  
) **AUTHORITIES; DECLARATION OF SCOTT**  
) **PEARCE**

19 **Date: November 7, 2008**  
20 **Time: 8:30 a.m.**  
21 **Department 50**

22 Action Filed: October 31, 1985  
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1 PLEASE TAKE NOTICE THAT on the 7<sup>th</sup> day of November, 2008, at the hour of 8:30 a.m.,  
2 or as soon thereafter as the matter may be heard, the Insurance Commissioner will bring on for  
3 hearing his Motion to Approve Distributions to Claimants against Mission Insurance Company Trust  
4 and Mission National Insurance Company Trust in Department 50, located at 111 North Hill Street,  
5 Los Angeles, California 90012. Prior distributions to the creditors of Mission Insurance Company  
6 Trust have resulted in payment of the principal amount of all policyholder claims, and payment of 30  
7 (thirty) percent of the principal amount of all general creditor claims. The motion will seek approval  
8 to increase the dividend to general creditors from 30 (thirty) percent to 36.5 (thirty six and a half)  
9 percent. Prior distributions to creditors of Mission National Insurance Company Trust have paid the  
10 principal amount of approved policyholder and general creditor claims. The Insurance  
11 Commissioner now seeks leave to pay 48 (forty eight) percent of the interest on approved  
12 policyholder claims in the Mission National Insurance Company Trust, as well as one hundred  
13 percent of the interest on two small approved administrative expense matters. The motion will seek  
14 leave to pay those claims the amounts scheduled on as Exhibits "A" and "B" to the Declaration of  
15 Scott Pearce. The amount of assets which will be required to make the distribution are:  
16 a. Mission Insurance Company Trust: \$ 28,003,984.01; and  
17 b. Mission National Insurance Company Trust: \$ 93,269,717.58  
18 The motion will seek to empower the Insurance Commissioner to take all steps necessary to  
19 effectuate the distribution. The motion will further seek the Court's permission to arrange for deposit  
20 of any unclaimed funds with the Unclaimed Property Fund. The Court is requested to permit a  
21 Declaration of Compliance to be filed by the Estate Trusts Officer by March 31, 2009, upon which  
22 time the Insurance Commissioner as Trustee shall be discharged with responsibility as to the funds  
23 so distributed. The motion will be based upon the pleadings and papers on file, and the prior orders  
24 of this Court. The motion will also be based upon the Declaration of Scott Pearce filed with this  
25 motion.

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27 Wherefore, premises considered, the Insurance Commissioner requests an order approving the  
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distributions sought herein, and all other just and equitable relief.

Respectfully submitted,

WISENER★NUNNALLY★GOLD, LLP



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**Memorandum of Points and Authorities**

This motion seeks to accomplish a further step in the key goal of any insolvency proceeding—to get funds distributed to claimants. Since the prior distribution, substantial further sums have been collected for distribution to claimants. The Insurance Commissioner now seeks approval to make distributions to claimants against Mission Insurance Company Trust and Mission National Insurance Company Trust.

Mission Insurance Company Trust has previously paid the entire principal amount of its policyholder priority claims, and thirty percent of its general creditor claims. The requested distribution will raise the distribution percentage for general creditor claimants to 36.5% (thirty six and a half percent).

Mission National Insurance Company Trust has paid the principal amount of all its policyholder and general creditor claims. The requested payment will result in payment of all the interest on some small Class 1 claims, and 48% of the interest on policyholder class claims. The purpose of insurance insolvency proceedings is to ensure the orderly and equitable distributions of assets of the insolvent insurer to those entitled to share in those assets. *In re Title USA Corp* (1996) 36 Cal. App.4th 363, 42 Cal. Rptr. 498. California Insurance Code Sections 1025, 1033 and 1057 contemplate a ratable distribution in accordance with the priority statute. *Commercial National Bank v. Superior Court* (1993) 14 Cal. App. 4<sup>th</sup> 393, 17 Cal. Rptr. 2d 884.

The payment of principal to general creditors of Mission Insurance Company Trust is appropriate under California Insurance Code Section 1033 as the principal claims of classes of higher priority have been paid. The interest payments by the Mission Insurance Company Trust will pay only policyholder level claims, as Section 1033 priority will be followed in the payment of interest on the matter.

The Declaration of Scott Pearce demonstrates the payees, the amounts to be paid, and establishes that the funds remain to pay these claims. The Insurance Commissioner will continue to hold substantial sums as contingency reserves, but the distributions will permit the payment of

1 substantial amounts of the remaining creditor claims. Further distributions are expected prior to final  
2 wind-up.

3 **Conclusion:**

4 The purpose of these proceedings is to get funds distributed to policyholders and creditors to  
5 whom they are due. Substantial collections of assets now permit a further distribution. This Court's  
6 approval to effectuate this distribution is appropriate.

7 Respectfully submitted,

8 WISENER★NUNNALLY★GOLD, LLP

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1 **Declaration of Scott Pearce**

2 I, Scott Pearce, make this Declaration in San Francisco, California, and do swear under  
3 penalty of perjury of the laws of the State of California that:

4 1. I am Scott Pearce. I am the Estates Trust Officer for Mission Insurance Company Trust  
5 and Mission National Insurance Company Trust. I have personal knowledge of the facts to which I  
6 attest, and if called upon to testify, I could and would testify to these facts.

7 2. In my role as Estates Trust Officer, I coordinate with other employees of the California  
8 Conservation and Liquidation Office to administer the operations of insurance companies in  
9 liquidation. In connection with this role, I have monitored the status of the Mission Insurance  
10 Company Trust estate and the Mission National Insurance Company Trust estate. In this role, I have  
11 obtained from the appropriate accounting, claims and financial personnel for the Mission Insurance  
12 Company Trust records sufficient to determine what assets may be distributed to claimants against  
13 the trusts. Prior distributions to the creditors of Mission Insurance Company Trust have resulted in  
14 payment of the principal amount of all policyholder claims, and payment of 30 (thirty) percent of the  
15 principal amount of all general creditor claims. This motion seeks approval to increase the dividend  
16 to general creditors from 30 percent to 36.5 percent. Prior distributions to creditors of Mission  
17 National Insurance Company Trust have paid the principal amount of approved policyholder and  
18 general creditor claims. The Insurance Commissioner now seeks leave to pay 48 (forty eight)  
19 percent of the interest on approved policyholder claims in the Mission National Insurance Company  
20 Trust, as well as one hundred percent of the interest on two small approved administrative expense  
21 matters.

22 3. I have relied upon the work of the claims and accounting personnel of the Conservation  
23 and Liquidation Office in compiling this declaration. Based upon this effort, Exhibit "A" is the  
24 proposed distribution by Mission Insurance Company Trust, while Exhibit "B" is the proposed  
25 distribution by Mission National Insurance Company Trust as to policyholder and guaranty  
26 associations. These lists show the proposed payees.

27

28 4. The sums necessary to make these distributions are:

- 1 a. Mission Insurance Company Trust: \$ 28,003,984.01; and
- 2 b. Mission National Insurance Company Trust: \$ 93,269,717.58

3 4. I am advised that the trusts will be able to make these distributions, while maintaining an  
4 appropriate reserve for contingencies. Based upon the work done by the professionals at the  
5 Conservation and Liquidation Office, I recommend to the Court that the Court approve the  
6 distributions, and authorize me to file a Declaration of Compliance by March 31, 2009 when the  
7 distribution is accomplished.

8  
9 I hereby declare the foregoing facts to be true and correct under the penalty of perjury of the laws of  
10 the State of California, on this 1 day of October, 2008.

11   
12 \_\_\_\_\_  
13 Scott Pearce

**EXHIBIT A – Removed**  
**Pending Amended Exhibit**



**Mission National Insurance Company**  
**November 2008 Interest Distribution to non-IGAs**

POC	Name	Total Accrued Interest	Interest Payment
<b>Payout Percentage Class 1</b>			
A80820	FREE LANCE INVESTIGATIONS	\$ 1,608.51	\$ 1,608.51
U41790	PROSSER, WIEDABACH & QUALE, S.C.	\$ 654.89	\$ 654.89
Total Admin Costs		\$ 2,263.40	\$ 2,263.40
<b>Payout Percentage Class 5</b>			
L08250	ACO INC.	\$ 3,517.35	\$ 1,688.33
I74340	ADOLPH COORS CO.	\$ 390,140.93	\$ 187,267.65
Z03590	AFCO	\$ 2,369.32	\$ 1,137.27
G08860	ALDAZ, JESUS	\$ 4,918.62	\$ 2,360.94
D74860	ALVA ALLEN INDUSTRIES, INC.	\$ 3,282.86	\$ 1,575.77
V08210	AMERICAN GRAIN & RELATED IND.	\$ 5,477.69	\$ 2,629.29
K79210	AMERICAN STAIR GLIDE CORP.	\$ 33,882.83	\$ 16,263.76
Z12001	ARIZ. RISK MGMT REVOLVING FUND	\$ 264,739.24	\$ 127,074.84
U40440	ARIZONA DEPARTMENT OF INSUR	\$ 3,071.48	\$ 1,474.31
U13700	ARKANSAS STOCK POOL FOR ASSIGNED RISK	\$ 14.61	\$ 7.01
I09130	ARTHRITIS & ORTHO. SUR. ASSOC.	\$ 321.70	\$ 154.42
J63560	AVIS LICENSEE	\$ 4,594.96	\$ 2,205.58
U23448	AXTON CROSS CO - THE RECOVERY GRP	\$ 53,810.48	\$ 25,829.03
I28550	BASIN MEDICAL SUPPLY, INC.	\$ 875.76	\$ 420.37
A48350	BASS TRANSPORTATION CO., INC.	\$ 416,371.52	\$ 199,858.33
I85730	BERKS PRODUCTS CORP.	\$ 1,360,042.16	\$ 652,820.24
J60510	BEUS, GILBERT & DEVITT, P.L.L.C.	\$ 1,789,562.01	\$ 858,989.76
K62170	BIG THREE MANAGEMENT SERVICES	\$ 285,197.19	\$ 136,894.65
S93590	BIG THREE MANAGEMENT SERVICES	\$ 102,070.70	\$ 48,993.93
U18420	BOLEY-FEATHERSTON-HUFFMAN&DEAL	\$ 1,109.17	\$ 532.40
A79180	BOTTINI, BOTTINI & LEHNER	\$ 543.85	\$ 261.05
A69520	BOTTINI, BOTTINI & LEHNER	\$ 439.77	\$ 211.09
O07980	BOY SCOUTS OF AMERICA	\$ 876,798.37	\$ 420,863.22
S89960	BOY SCOUTS OF AMERICA	\$ 373,740.93	\$ 179,395.65
V08120	BRENTWOOD LANES	\$ 25,693.08	\$ 12,332.68
I36460	BRIAN D. RANELLE D.O. P.A.	\$ 95.33	\$ 45.76
J23170	BUILDERS TRANSPORTATION CO.	\$ 58,622.51	\$ 28,138.80
G16640	C.W. MATTHEWS CONTRACTING CO.	\$ 14,861.23	\$ 7,133.39
D75520	CAHILL & MARING, P.A.	\$ 541.16	\$ 259.76
T34200	CALIFORNIA, STATE OF - CONTROLLER	\$ 63,937.06	\$ 30,689.79
K73180	CENTEX CORPORATION	\$ 461,363.36	\$ 221,454.41
T68890	CENTEX CORPORATION	\$ 47,486.38	\$ 22,793.46
T68880	CENTEX CORPORATION	\$ 43,195.48	\$ 20,733.83
Z83291	CENTEX CORPORATION	\$ 16,162.25	\$ 7,757.88
S59131	CENTEX CORPORATION	\$ 29.62	\$ 14.22
U18569	CHANNEL LUMBER	\$ 1,936.79	\$ 929.66
J34930	CHEMTECH INDUSTRIES, INC.	\$ 162,747.30	\$ 78,118.70
A65130	CHICAGO TRANSIT AUTHORITY	\$ 746,268.31	\$ 358,208.79
U18430	CLARK ASSOCIATES INC	\$ 5,352.32	\$ 2,569.11
T47380	COCKERELL, CAUWELS WARD INC.	\$ 93.80	\$ 45.02
K84320	CORRIGAN, KELLY	\$ 155,632.84	\$ 74,703.76
K84330	CORRIGAN, MARY ANNA	\$ 137,994.45	\$ 66,237.34
L41540	CURLEY ADJ CO	\$ 169.56	\$ 81.39
U44950	DG INSURANCE AGENCY, INC.	\$ 1,457.45	\$ 699.58
J44800	DOMINICK'S FINER FOODS, INC.	\$ 8,068.79	\$ 3,873.02
U16102	DOW CORNING CORP	\$ 1,106,726.47	\$ 531,228.70
U16485	DOW CORNING CORP	\$ 838,616.88	\$ 402,536.10
U17693	DOW CORNING CORP	\$ 838,616.88	\$ 402,536.10

U16486	DOW CORNING CORP		
U20766	DOW CORNING CORP	\$	838,345.30
U16103	DOW CORNING CORP	\$	1,053,266.40
U20766	DOW CORNING CORP	\$	185,376.68
U20766	DOW CORNING CORP	\$	287,586.95
U20766	DOW CORNING CORP	\$	246,574.34
U20766	DOW CORNING CORP	\$	311,316.59
U20766	DOW CORNING CORP	\$	175,268.23
U20766	DOW CORNING CORP	\$	135,832.88
U20766	DOW CORNING CORP	\$	103,367.76
U20766	DOW CORNING CORP	\$	103,367.76
U20766	DOW CORNING CORP	\$	89,249.79
U20766	DOW CORNING CORP	\$	70,835.90
U20766	DOW CORNING CORP	\$	82,485.66
U20766	DOW CORNING CORP	\$	82,485.66
U20766	DOW CORNING CORP	\$	27,167.59
U20766	DOW CORNING CORP	\$	21,150.78
U20766	DOW CORNING CORP	\$	12,356.90
U20766	DOW CORNING CORP	\$	7,558.44
K70781	DRESSER INDUSTRIES, INC.	\$	1,397,436.81
U22308	DRESSER INDUSTRIES, INC.	\$	561,381.59
T76080	DRISCOLL ORTHOPEDIC CLINIC	\$	1,525.75
J91873	ERROL BERK	\$	369.09
K23420	EV JEN MEDICAL	\$	31,175.02
G28660	FIRST STATE FREEZER	\$	152.47
I28280	FIRST TEXAS MEDICAL CENTER	\$	1,186.66
G04080	FIVE S AUTO, DBA DOLLAR RENT-A-CAR L.V.	\$	106,784.66
J68950	FLEETWOOD ENTERPRISES, INC.	\$	698,572.05
S00080	FLEETWOOD ENTERPRISES, INC.	\$	9,691.41
V50380	FRANCISCAN FRIARS OF CALIFORNIA	\$	1,301,776.38
V50358	FRANCISCAN FRIARS OF CALIFORNIA	\$	130,177.64
V50359	FRANCISCAN FRIARS OF CALIFORNIA	\$	130,177.64
I37230	FT WORTH OSTEOPATHIC MED. CTR.	\$	80.29
L42950	GALLEGOS, LYDIA	\$	93.80
L97030	GELMAN SCIENCES INC	\$	773,817.09
U23126	GEORGE V. HAMILTON, INC.	\$	888,744.93
J08940	GERBER PRODUCTS COMPANY	\$	1,459,696.36
I28560	GLASS PROFESSIONAL PHARMACY	\$	194.64
Z90560	HARLEY-DAVIDSON INC.	\$	3,991,377.36
A50900	HARLEY-DAVIDSON INC.	\$	880,126.73
L98280	HARLEY-DAVIDSON INC.	\$	86,955.13
T32440	HAROLD AND ERETTE BARTAY	\$	289,276.28
D85300	HI-TEMP, INC.	\$	502,955.31
G07760	HOWARD, JESSIE	\$	3,692,982.51
V50421	INDUSTRIAL TRUCKING	\$	1,425,293.90
D85770	INNSBRUCK LIQUIDATION CORP.	\$	11,206.08
U18610	INSURANCE ASSOCIATES OF	\$	60.59
U22123	INTRACORP	\$	473.56
I24030	INTRACORP	\$	399.76
I35950	IRVING COMMUNITY HOSPITAL	\$	2,180.99
I36020	IRVING RADIOLOGICAL ASSOCIATES	\$	340.37
T86810	J.J. WHITE, INC	\$	281,388.03
V02940	J.T. THORPE, INC.	\$	552,648.66
Z10747	JACQUELYN ALSTON	\$	50,950.24
T94550	JAMES C. GREENE COMPANY	\$	323.10
F60530	JAMES C. JENKINS, ESQ.	\$	39,696.71
U14658	JAMES D. HARTSON	\$	667,259.51
D82600	JO CHRISTISON	\$	23,449.00
U28170	JOE W. FAVOR	\$	428.13
D74840	JOHN DAVID RHODES, ESQ.	\$	1,926.46
		\$	402,405.74
		\$	505,567.87
		\$	88,980.81
		\$	138,041.73
		\$	118,355.68
		\$	149,431.96
		\$	84,128.75
		\$	65,199.78
		\$	49,616.52
		\$	49,616.52
		\$	42,839.90
		\$	34,001.23
		\$	39,593.11
		\$	39,593.11
		\$	13,040.44
		\$	10,152.38
		\$	5,931.31
		\$	3,628.05
		\$	670,769.67
		\$	269,463.16
		\$	732.36
		\$	177.17
		\$	14,964.01
		\$	73.18
		\$	569.59
		\$	51,256.64
		\$	335,314.59
		\$	4,651.88
		\$	624,852.66
		\$	62,485.27
		\$	62,485.27
		\$	38.54
		\$	45.02
		\$	371,432.20
		\$	426,597.57
		\$	700,654.25
		\$	93.43
		\$	1,915,861.13
		\$	422,460.83
		\$	41,738.46
		\$	138,852.61
		\$	241,418.55
		\$	1,772,631.60
		\$	684,141.07
		\$	5,378.92
		\$	29.08
		\$	227.31
		\$	191.88
		\$	1,046.88
		\$	163.38
		\$	135,066.26
		\$	265,271.36
		\$	24,456.12
		\$	155.09
		\$	19,054.42
		\$	320,284.57
		\$	11,255.52
		\$	205.50
		\$	924.70

K48310	JOHNSON CONTROLS, INC.	\$	4,666,003.38	\$	2,239,681.62
K46380	JOHNSON CONTROLS, INC.	\$	2,650,042.93	\$	1,272,020.61
A75040	JOHNSTON MOTOR COMPANY	\$	326.83	\$	156.88
U15906	JOSTENS, INC.	\$	5,706.54	\$	2,739.14
G58880	JULIAN A. POLLOK	\$	11,995.44	\$	5,757.81
L53320	KALINER, NADIA	\$	12,307.69	\$	5,907.69
N85250	KAREN BARTAY MERRITT	\$	1,435,300.38	\$	688,944.18
T32430	KAREN BARTAY MERRITT	\$	1,262,866.24	\$	606,175.79
K84310	KAREN LAWHORNE	\$	4,080,126.48	\$	1,958,460.71
U12772	KELLER INDUSTRIES, INC.	\$	717,918.00	\$	344,600.64
U19364	KELLER INDUSTRIES, INC.	\$	68,288.43	\$	32,778.45
U45200	KNPZ INSURANCE SERVICES	\$	22.18	\$	10.65
F79090	LEASEWAY TRANSPORTATION CORP.	\$	198,714.88	\$	95,383.14
I35970	LIAISON, INC.	\$	193.14	\$	92.71
A72340	LINCOLN CITY PHYSICAL THERAPY	\$	72.24	\$	34.67
I20520	LITTLE, PALMER & WILLIAMS	\$	867.64	\$	416.47
U18640	LORGE CIRCLE, LTD.	\$	103.76	\$	49.80
S01310	LOS ANGELES PHYSICAL THERAPY	\$	304.93	\$	146.37
J10040	MACBEE CORPORATION	\$	844,164.10	\$	405,198.77
U18530	MANCHESTER INSURANCE AGENCY	\$	157.73	\$	75.71
K36100	MANCHESTER TANK AND EQUIPMENT	\$	8,051.81	\$	3,864.87
V10900	MARK MALUEGGE	\$	127,303.70	\$	61,105.77
L01680	MARKS, KENT & O'NEILL, P.C.	\$	600.24	\$	288.12
U45151	MCCOLLUM, MILLER & LOVELACE, INC.	\$	179.40	\$	86.11
U45150	MCCOLLUM, MILLER & LOVELACE, INC.	\$	151.12	\$	72.54
Z13423	MCGRIFF, SEIBELS & WILLIAMS	\$	11,043.43	\$	5,300.85
Z13424	MCGRIFF, SEIBELS & WILLIAMS	\$	6,025.23	\$	2,892.11
J69740	MCKINSTRY CO	\$	234,490.03	\$	112,555.21
G48370	MI JACKSON PRODUCTS, INC.	\$	25,054.48	\$	12,026.15
U44780	MICHELETTI INC.	\$	12.45	\$	5.98
I35770	MID-CITIES CLINIC ASSOCIATES,	\$	420.20	\$	201.70
Z80410	MID-WILSHIRE MEDICAL GROUP	\$	914.79	\$	439.10
T91900	MIKE LEONARD & ASSOC. INS.	\$	4,291.32	\$	2,059.83
L40130	MILLVILLE THRIFTY	\$	1,219.73	\$	585.47
S95581	MINNESOTA MINING & MANUFACTURING	\$	4,623,595.33	\$	2,219,325.76
S54080	MINNESOTA MINING & MANUFACTURING	\$	3,717,477.28	\$	1,784,389.09
S95580	MINNESOTA MINING & MANUFACTURING	\$	3,717,477.28	\$	1,784,389.09
S54070	MINNESOTA MINING & MANUFACTURING	\$	789,959.06	\$	379,180.35
S95570	MINNESOTA MINING & MANUFACTURING	\$	789,959.06	\$	379,180.35
S95571	MINNESOTA MINING & MANUFACTURING	\$	789,959.06	\$	379,180.35
S95590	MINNESOTA MINING & MANUFACTURING	\$	300,894.64	\$	144,429.43
U23322	NIBBI BROS. INC.	\$	23,456.84	\$	11,259.29
U23323	NIBBI BROS. INC.	\$	23,456.84	\$	11,259.29
U23324	NIBBI BROS. INC.	\$	23,456.84	\$	11,259.29
T87300	NICHOLSON INSURANCE, INC.	\$	1,128.29	\$	541.58
T85660	NICHOLSON INSURANCE, INC.	\$	885.23	\$	424.91
T85644	NICHOLSON INSURANCE, INC.	\$	93.80	\$	45.02
O29660	NORTH STAR ICE EQUIPMENT CO.	\$	114,543.70	\$	54,980.97
K82110	O.F. MOSSBERG & SONS, INC.	\$	89,958.11	\$	43,179.89
T32740	O.F. MOSSBERG & SONS, INC.	\$	32,828.60	\$	15,757.73
A50570	O.H. MATERIALS CORP	\$	281,388.03	\$	135,066.26
S81470	OAKPARK MOTEL	\$	131.77	\$	63.25
G50310	OMARK INDUSTRIES, INC. / BLOUNT, INC.	\$	386,052.58	\$	185,305.24
T31130	OREFICE, JOYCE	\$	143.18	\$	68.73
V50430	OREGON DEPT. OF ENVIRONMENTAL QUALITY	\$	91,186.94	\$	43,769.73
Z24330	ORTHOPEDIC INDUSTRIAL MED GRP	\$	914.79	\$	439.10
S72750	P. H. GLATFELTER COMPANY	\$	19,943.82	\$	9,573.04
U45055	PASSEY-BOND CO., INC.	\$	999.41	\$	479.72
G28040	PATERSON FIDELCO ASSOCIATES	\$	7,772.40	\$	3,730.75

L42910	PENNINGTON & THOMPSON	\$	1,789.26	\$	858.85
U12500	PETE CRANDALL	\$	355.25	\$	170.52
S37100	PLAYTEX PRODUCTS, INC.	\$	763,093.94	\$	366,285.09
U20779	PLAYTEX PRODUCTS, INC.	\$	711,822.14	\$	341,674.62
T58080	PLAYTEX PRODUCTS, INC.	\$	39,451.03	\$	18,936.49
A76210	POULSON, M.D., DON E.	\$	101.68	\$	48.81
T21400	PRO-PAK ENTERPRISES, INC.	\$	9,115.00	\$	4,375.20
U45240	PURDUM INSURANCE SERVICES	\$	1,509.22	\$	724.43
U23205	RAPID-AMERICAN CORP.	\$	2,972,795.11	\$	1,426,941.65
V07000	RED GARTER LOUNGE, INC.	\$	10,192.15	\$	4,892.23
A48340	RICHARD HENLEY & WALTER BARNES HIS ATTY.	\$	468,042.09	\$	224,660.21
V20060	RICHARD SCOTT LONG	\$	785,003.71	\$	376,801.78
T86990	ROBERT M. SNYDER	\$	139.96	\$	67.18
L17880	RODNEY G. BOURG	\$	21,104.10	\$	10,129.97
X43781	ROPER PUMP COMPANY	\$	72,427.63	\$	34,765.26
S97930	S MATHEWS & D J DUPLESSIS	\$	1,072.57	\$	514.83
Z92660	S.C. JOHNSON & SON, INC ETAL	\$	656,759.67	\$	315,244.64
J78410	SANTA FE EQUIPMENT CO.	\$	402,258.36	\$	193,084.01
I33570	SHAH, SYED A.A., M.D., P.A.	\$	117.24	\$	56.28
K69150	SHEETS AND ASSOC EYE CENTERS	\$	73.78	\$	35.41
V01810	SIGNODE CORP. & PASLODE CORP.	\$	837,552.74	\$	402,025.32
S93810	SIKA CORPORATION	\$	398,633.05	\$	191,343.86
A57180	SNOWCREEK II HOA	\$	18,759.20	\$	9,004.42
K61470	SOLTEX POLYMER CORPORATION	\$	317,037.56	\$	152,178.03
T22600	SOUTHEASTERN EXPLO. & PROD. CO	\$	792.99	\$	380.64
J71630	SPIDER STAGING, INC.	\$	2,298.04	\$	1,103.06
T95270	ST. REGIS INSURANCE CO., LTD.	\$	491,862.00	\$	236,093.76
F88460	STAMFORD, CITY OF	\$	95,988.20	\$	46,074.34
T81220	STEPHEN J. ZAYLER	\$	93,796.01	\$	45,022.09
Z88140	STEPHENSON & LAWYER, INC	\$	5,835.90	\$	2,801.23
A48620	STEVEN M. MARZEC	\$	211,431.14	\$	101,486.95
A49020	STRASBURGER & PRICE, L.L.P.	\$	26,536.61	\$	12,737.57
U28474	STREET & ASSOCS. INS. AGENCY	\$	507.36	\$	243.53
S97500	T.P.I. CORPORATION	\$	9,837.24	\$	4,721.88
V50432	TANNER COMPANIES	\$	3,714.35	\$	1,782.89
V50438	TANNER COMPANIES	\$	2,208.45	\$	1,060.06
P77440	TANNER COMPANIES	\$	12,107.16	\$	5,811.44
V50361	TANNER COMPANIES	\$	3,221.08	\$	1,546.12
U23405	TANNER COMPANIES	\$	4,656.47	\$	2,235.11
V50433	TANNER COMPANIES	\$	351.53	\$	168.73
V50362	TANNER COMPANIES	\$	371.70	\$	178.42
D93620	TECUMSEH PRODUCTS CO.	\$	35,992.72	\$	17,276.51
T80800	TEKTOR DEALER SERVICES, INC.	\$	433.28	\$	207.98
U18480	TEMPLE & TEMPLE INSURANCE AGENCY	\$	2,013.89	\$	966.67
U45130	TEMPLE & TEMPLE INSURANCE AGENCY	\$	93.80	\$	45.02
U18690	TEMPLE & TEMPLE INSURANCE AGENCY	\$	85.08	\$	40.84
U22561	TERRELL SAND & GRAVEL	\$	1,943.23	\$	932.75
K67660	TEXARKANA COMM HOSPITAL	\$	312.86	\$	150.17
T20530	TEXAS ALL RISK GENERAL AGENCY	\$	16,323.37	\$	7,835.22
T20537	TEXAS ALL RISK GENERAL AGENCY	\$	2,797.28	\$	1,342.70
T20533	TEXAS ALL RISK GENERAL AGENCY	\$	1,269.96	\$	609.58
V50091	THE DEXTER CORPORATION	\$	452,166.02	\$	217,039.69
M00260	THE GATES CORP.	\$	1,265,706.63	\$	607,539.18
S17010	THE GATES CORP.	\$	834,362.42	\$	400,493.96
Z64510	THE GATES CORP.	\$	442,983.92	\$	212,632.28
U44892	THE RULE CO.	\$	32.69	\$	15.69
J80030	TIC UNITED CORPORATION	\$	6,333.71	\$	3,040.18
F75220	TRAVELERS INSURANCE COMPANY	\$	5,182.77	\$	2,487.73
T25830	TRI-CITY LANDSCAPE MAINTENANCE	\$	306.91	\$	147.32

V01170	TUCKER PROP. C/O DEAN FRANKLIN	\$	5,495.46	\$	2,637.82
U21262	UNITED CABLE TELEVISION CORP.	\$	384,589.96	\$	184,603.18
P18690	UNITED COMPANIES FINANCIAL CORP	\$	17,707.03	\$	8,499.38
M12820	W & B BUILDERS INC.	\$	5,252.31	\$	2,521.11
U45176	W & B BUILDERS INC.	\$	106.45	\$	51.10
A54800	WELLONS, INC.	\$	1,733,564.02	\$	832,110.73
H29220	WELLS FARGO BANK, N.A.	\$	1,067,304.90	\$	512,306.35
X55587	WELLS FARGO BANK, N.A.	\$	616,007.07	\$	295,683.39
U45231	WESTERN INSURANCE MARKETING	\$	5,173.27	\$	2,483.17
U18700	WESTERN VALLEY INSURANCE CO.	\$	4,136.10	\$	1,985.33
J03680	WHITE, FLEISCHNER & FINO	\$	20,471.27	\$	9,826.21
T81470	WILLIS CORROON OF NASHVILLE	\$	1,873.40	\$	899.23
Z04240	WWF PAPER COMPANY	\$	188,598.64	\$	90,527.35
T61150	YOUNG LIFE, ET AL	\$	117,245.01	\$	56,277.61

**Total non-IGA Interest Payment** \$ 83,436,644.29 \$ 40,050,766.23

**Mission National Insurance Company**  
**November 2008 Interest Distribution to IGAs**

POC	IGA Payee	Total Accrued Interest	Interest Payment 48%
Z01207	ALABAMA INS. GUARANTY ASSOC.	\$ 988,883.90	\$ 474,664.27
Z23161	ALASKA INS. GUARANTY ASSOC.	\$ 384,400.33	\$ 184,512.16
A14121	ARIZONA PROP & CAS INS GUARANTY ASSN	\$ 274,010.38	\$ 131,524.98
Z04700	ARKANSAS P&C GUARANTY FUND	\$ 374,851.34	\$ 179,928.64
Z14010	AZ SPECIAL FUND OF THE INDUSTRIAL FUND	\$ 15,494,826.29	\$ 7,437,516.62
Z09350	CALIFORNIA INS. GUARANTEE ASSN.	\$ 17,601,377.12	\$ 8,448,661.02
Z01089	COLORADO INS. GUARANTY ASSOC.	\$ 516,039.28	\$ 247,698.85
V50397	COMPENSATION, RAING & INSPECTION-NY WC	\$ 90,103.87	\$ 43,249.86
Z09640	CONNECTICUT INS. GUARANTY ASSOC.	\$ 740,902.84	\$ 355,633.36
Z01281	DELAWARE INS. GUARANTY ASSN.	\$ 6,186,521.89	\$ 2,969,530.51
Z09440	DISTRICT OF COLUMBIA INS. GUARANTY ASSOC	\$ 145,227.11	\$ 69,709.01
Z01211	FLORIDA INS. GUARANTY ASSOC.	\$ 1,991,852.65	\$ 956,089.27
U23085	FLORIDA W.C. INS. GUARANTY ASSOC.	\$ 14,940,396.93	\$ 7,171,390.53
U21585	GEOGIA INSURERS INSOLVENCY POOL	\$ 731,451.92	\$ 351,096.92
Z09880	HAWAII INS. GUARANTY ASSOC.	\$ -	\$ -
Z01092	IDAHO INSURANCE GUARANTY ASSN.	\$ 135,637.27	\$ 65,105.89
Z23670	ILLINOIS INS. GUARANTY FUND	\$ 4,531,274.10	\$ 2,175,011.57
	INDIANA	\$ -	\$ -
Z01285	IOWA INSURANCE GUARANTY ASSN.	\$ 1,106,770.97	\$ 531,250.07
Z09980	KANSAS INS. GUARANTY ASSOC.	\$ 480,014.15	\$ 230,406.79
Z04810	KENTUCKY INSURANCE GUARANTY ASSN.	\$ 136,796.38	\$ 65,662.26
Z01332	LOUISIANA INS. GUARANTY ASSOC.	\$ 603,668.13	\$ 289,760.70
Z09390	MAINE INS. GUARANTY ASSOC.	\$ 779.03	\$ 373.93
Z01289	MARYLAND P&C INS. GUARANTY CORP.	\$ -	\$ -
Z09740	MASSACHUSETTS INSURERS INSOLVENCY FUND	\$ 1,752,294.34	\$ 841,101.28
Z01323	MICHIGAN P&C GUARANTY ASSN.	\$ 3,011,063.12	\$ 1,445,310.30
Z04860	MINNESOTA INS. GUARANTY ASSOC.	\$ 2,142,644.92	\$ 1,028,469.56
Z01318	MISSISSIPPI INS. GUARANTY ASSOC.	\$ 1,030,816.54	\$ 494,791.94
Z01268	MISSOURI P&C INS. GUARANTY ASSOC.	\$ 10,970.03	\$ 5,265.61
Z09950	MONTANA INS. GUARANTY ASSOC.	\$ 468,447.62	\$ 224,854.86
Z09910	NEBRASKA P&L INS. GUARANTY ASSN.	\$ 269,256.42	\$ 129,243.08
Z01294	NEVADA INS. GUARANTY ASSOC.	\$ 217,991.11	\$ 104,635.73
Z09490	NEW HAMPSHIRE INS. GUARANTY ASSOC.	\$ 1,082.54	\$ 519.62
Z01296	NEW JERSEY PROPERTY LIABILITY	\$ 6,000,357.62	\$ 2,880,171.66
Z09790	NEW MEXICO P&C INS. GUARANTY ASSOC.	\$ 260,794.71	\$ 125,181.46
Z01302	NEW YORK INS. DEPT. LIQ. BUREAU	\$ 3,080,552.53	\$ 1,478,665.21
U21566	NORTH CAROLINA INS. GUARANTY ASSOC.	\$ 113,992.75	\$ 54,716.52
Z09840	NORTH DAKOTA INS. GUARANTY ASSOC.	\$ 13,450.10	\$ 6,456.05
Z14500	OHIO INS. GUARANTY ASSOC.	\$ 634,577.57	\$ 304,597.23
U71090	OKLAHOMA P&C INS. GUARANTY ASSOC.	\$ 254,285.96	\$ 122,057.26
T97970	OREGON INSURANCE GUARANTY ASSN.	\$ 1,973,538.20	\$ 947,298.34
Z04760	PENNSYLVANIA P&C INS. GUARANTY ASSOC.	\$ 5,973,919.88	\$ 2,867,481.54
Z01311	PENNSYLVANIA W/C SECURITY FUND	\$ 2,173,382.68	\$ 1,043,223.68
Z09590	RHODE ISLAND INSURERS INSOLVENCY FUND	\$ 99,960.95	\$ 47,981.25
U71071	SOUTH CAROLINA P&C INS. GUARANTY ASSN.	\$ 39,205.96	\$ 18,818.86
U71081	SOUTH DAKOTA INS. GUARANTY ASSN.	\$ 336,237.78	\$ 161,394.14
U39140	TENNESSEE INS. GUARANTY ASSOC.	\$ 2,238,620.99	\$ 1,074,538.07
U19070	TEXAS P/C INS. GUARANTY ASSOC.	\$ 2,776,539.86	\$ 1,332,739.13
V50026	UTAH P&C INSURANCE GUARANTY ASSN.	\$ 77,520.44	\$ 37,209.81
Z09690	VERMONT P&C INS. GUARANTY ASSOC.	\$ 37,095.62	\$ 17,805.90
Z09540	VIRGINIA P&C INS. GUARANTY ASSOC.	\$ 14,285.22	\$ 6,856.90
Z01313	WASHINGTON INS. GUARANTY ASSOC.	\$ 3,067,220.68	\$ 1,472,265.93
Z01276	WEST VIRGINIA INS. GUARANTY ASSOC.	\$ 34,475.77	\$ 16,548.37

Z14560 WISCONSIN INS. SECURITY FUND  
Z09930 WYOMING INS. GUARANTY ASSOC.  
**Total IGA Interest Payment**

\$ 5,249,913.31	\$ 2,519,958.39
\$ 62,534.21	\$ 30,016.42
<u>\$ 110,872,815.31</u>	<u>\$ 53,218,951.35</u>

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**PROOF OF SERVICE: By U.S. Mail**  
**(Code Civ. Proc., §§ 1013, 2015.5)**

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 625 West Centerville Road, Suite 110, Garland, Texas 75041.

On this date, I served the foregoing document described as **NOTICE OF MOTION AND MOTION TO APPROVE DISTRIBUTIONS TO CLAIMANTS AGAINST MISSION INSURANCE COMPANY TRUST AND MISSION NATIONAL INSURANCE COMPANY TRUST; MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATION OF SCOTT PEARCE** by placing a copy thereof enclosed in sealed envelopes addressed as follows:

Sent via U.S. Mail to:

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.

(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 2, 2008 at Garland, Texas.

  
Vicki Shelton