

COPY

GV 204523

THE STATE OF TEXAS

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IN THE DISTRICT COURT OF

v.

TRAVIS COUNTY, TEXAS

AMCARE HEALTH PLANS OF TEXAS,
INC. and AMCARE MANAGEMENT, INC. §

200th JUDICIAL DISTRICT

SPECIAL DEPUTY RECEIVER'S
STATEMENTS OF EXPENSE FOR OCTOBER 2004

TO THE HONORABLE JUDGE OF THIS COURT:

COMES NOW, Jean Johnson, Special Deputy Receiver under contract to the Permanent Receiver of Amcare Health Plans of Texas, Inc. and Amcare Management, Inc., pursuant to TEX. INS. CODE ANN. art. 21.28, § 12(b), and presents to this Court STATEMENTS OF EXPENSE FOR OCTOBER 2004, for each entity in the above-referenced receivership estate. The Statements of Expense cover the period of October 1, 2004, through October 31, 2004, and are sworn to by the Special Deputy Receiver.

Respectfully submitted,

BRIAN E. RIEWE, P.C.
1801 South MoPac, Suite 300
Austin, Texas 78746
Telephone: 512/236-9955
Facsimile: 512/236-9966

Brian E. Riewe
State Bar No. 16915600

Gregory C. Douglass
State Bar No. 06049200

By: Brian E. Riewe

Attorneys for the Special Deputy Receiver

FILED

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Gregory C. Douglass
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

NOTICE

Pursuant to TEX. INS. CODE ANN. art. 21.28, § 12(b), these Statements shall be approved by the court unless objection is filed within ten (10) days after the presentation of the statement. The objection, if any, must be made by a party at interest and shall specify the item or items objected to and the ground of such objection. The court shall set the objection down for hearing. The burden of proof shall be upon the party objecting to show that the items objected to are improper, unnecessary or excessive.

The Special Master has asked that the following rules be provided to you:

1. A copy of any objection shall be served on:
 - (a) Special Master, Tom Collins, 708 Rio Grande, Suite 200, Austin, Texas 78701;
 - (b) The Special Master's Docket Clerk, Ms. Jean Sustaita, Texas Department of Insurance, 333 Guadalupe, Hobby Tower III, Room 540, Austin, Texas;
 - (c) All interested persons, including those listed on the Statement's Certificate of Service; and
 - (d) The undersigned counsel.
2. Any written objection shall specifically list all reasons for objection with supporting references to and discussion of statutory and case authorities. Reasons not stated in writing will not be considered orally at the hearing.
3. Failure to file timely a written objection before the Special Master and appear for hearing constitutes a waiver of the right to object to the Special Master's Order of Recommendation to the District Court.

Brian E. Riewe

Brian E. Riewe

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above document was forwarded via electronic mail to the following persons on this the 15th day of November 2004.

Mr. James Kennedy, Attorney for the Receiver
Texas Department of Insurance
333 Guadalupe, Tower I
8th Floor, MC-110-1A
Austin, Texas 78701
Email: james.kennedy@tdi.state.tx.us

Ms. Elizabeth Fuller, Attorney for the Receiver
Texas Department of Insurance
333 Guadalupe, Tower I
9th Floor, MC-110-1A
Austin, Texas 78701
Email: elizabeth.fuller@tdi.state.tx.us

Ms. Myra Garrett, Liquidation Oversight
Texas Department of Insurance
333 Guadalupe St., Tower III
5th Floor, MC-305-1C
Austin, Texas 78701
Email: Myra.Garrett@tdi.state.tx.us

Mr. Thomas S. Lucksinger
President, Amcareco, Inc.
The SLI Group
10200 Old Katy Road
Houston, Texas 77043
Email: toml@thesligroup.com

Lee Spangler, Assistant General Counsel
Texas Medical Association
401 West 15th Street
Austin, Texas 78701
Email: lee.spangler@texmed.org

Mr. Charles Bailey, General Counsel
Texas Hospital Association
6225 US Hwy 290 E.
Austin, Texas 78723
Email: cbailey@tha.org

Pat Harris
Harris County Medical Society
1515 Hermann Drive
Houston, Texas 77004
Email: pat_harris@hcms.org

Mr. Mike Johnston, Atty-Hermann Memorial
Ms. Margaret A. Pollard, Atty-St. Luke's Episcopal
Sullins Johnston Rohrbach & Magers, P.C.
3200 Southwest Freeway, Suite 2200
Houston, Texas 77027
Email: mjohnston@sjrm.com
Email: mpollard@sjrm.com

Ms. Sue Buser, Attorney for Louisiana Receiver
Martinez & Buser, L.L.C.
1518 Highway 30 East
Gonzales, Louisiana 70737
Email: sbuser@eatel.net

Mr. Billy Bostick, OK-Deputy Assistant Receiver
3530 Forest Lane, Suite 300
Dallas, Texas 75234-7910
Email: billy.bostick@bccg.com

Ms. Karen Colombo
Bay Area Obstetrics & Gynecology, P.A.
#17 Professional Park
Webster, Texas 77598
Email: kcolombo@baobgyn.com

Ms. Kathleen S. Carrigan, Director
COR Specialty Associates of North Texas, P.A.
1320 Greenway, #200
Irving, Texas 75038
Email: kcarrigan@csant.com

Southwest Imaging and Interventional Specialists
f/k/a Dallas Radiologists
Attn: T. Raymona Meeks
7515 Greenville Ave., Suite 710
Dallas, Texas 75231
Email: rmeeks@siis.md

Kaner Medical Group
Attn: Dana Fannin
P.O. Box 210429
Bedford, Texas 76088-7429
Email: dfannin@kanermed.com

Mr. David W. Hobson, M.D.
1601 Main Street, Suite 302
Richmond, Texas 77469
Email: ofcmgr@women-babies.com

Aquileo N. Hernandez, M.D.
11914 Astoria Blvd., Ste. 450
Houston, Texas 77089
Email: ahernandez40@hotmail.com

Mr. Jon McGough
Assistant General Counsel
University of North Texas System
3500 Camp Bowie Blvd.
Fort Worth, Texas 76107-2699
Email: jmcgough@hsc.unt.edu

Mr. Thomas L. Weinberg
Assistant General Counsel
DaVita, Inc.
1423 Pacific Avenue
Tacoma, Washington 98402
Email: rhartman@davita.com

Ms. Tricia Smith
P.O. Box 589
Rhome, Texas 76078
Email: bksmom02@aol.com

Mr. Cosme E. Ramirez
16110 Hergrif St.
Houston, Texas 77032-1334
Email: cosmeeramirez@yahoo.com

Ms. Carleen M. Simon-Yates, RPH
12335 Kingsride, Suite 366
Houston, Texas 77024
Email: cmsyjap1@aol.com

Ms. Stellene Cox
2331 County Road 1076
Celeste, Texas 75423
Email: ccox02@7-11.com

Mr. Samuel Owolabi
16714 Cheshire Place Dr.
Houston, Texas 77083
Email: oblow1@yahoo.co.uk

Dr. Clay Heighten
VP Managed Care
MedicalEdge Healthcare Group
9229 LBJ Freeway, Suite #250
Dallas, Texas 75243
Email: cheighte@med-edge.com

Mr. Jonathan F. Buck
Catholic Healthcare West d/b/a Mercy Westside
Hospital & St. Rose Dominican Hospital-SienaCampus
330 North Brand Blvd., 4th Floor
Glendale, California 92103
Email: JBuck@CHW.edu

Ms. Traci L. Cotton, Attorney
The University of Texas System
Office of General Counsel
201 W. 7th Street
Austin, Texas 78701
Email: tcotton@utsystem.edu



Brian E. Riewe

THE STATE OF TEXAS

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VS.

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TRAVIS COUNTY, TEXAS

AMCARE HEALTH PLANS OF TEXAS,
INC. and AMCARE MANAGEMENT, INC.

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200TH JUDICIAL DISTRICT

Affidavit

THE STATE OF TEXAS

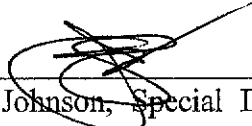
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COUNTY OF DALLAS

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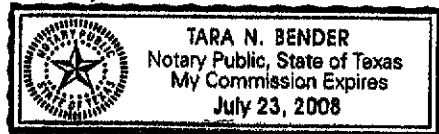
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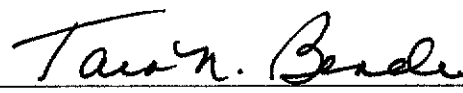
On this day personally appeared before me, Jean Johnson, in her capacity as Special Deputy Receiver of Amcare Health Plans of Texas, Inc., upon her oath stated that the foregoing is a true and correct copy of the Statement of Expenses for the period of October 1, 2004, through October 31, 2004, in the receivership estate of Amcare Health Plans of Texas, Inc. and Amcare Management, Inc., in Cause No. GV-204523 pending in the 200th Judicial District Court of Travis County, Texas, pursuant to TEX. INS. CODE ANN. art. 21.28, § 12(b).



Jean Johnson, Special Deputy Receiver of
Amcare Health Plans of Texas, Inc.

2nd SWORN TO AND SUBSCRIBED BEFORE ME by Jean Johnson, on this the
day of November, 2004.





Notary Public, State of Texas

Liquidation Oversight Standardized Attested 12 (b) Expenses
AMCARE HEALTH PLANS OF TEXAS, INC.
RECEIVERSHIP #512H
FOR THE MONTH ENDING OCTOBER 31, 2004

	<u>SDR</u>	<u>SUB</u>	<u>TOTAL</u>
ASSET RELATED GROUP			
Premium			
Collection Expense			
SDR	-	-	-
Subcontractor	-	-	-
Receivable			
Agent Balance Expense			
SDR	-	-	-
Subcontractor	-	-	-
Reinsurance Expense			
SDR	-	-	-
Subcontractor	-	-	-
Subrogation Expense			
SDR	-	-	-
Subcontractor	-	1,677	1,677
Intercompany Receivable Expenses			
SDR	-	-	-
Subcontractor	-	-	-
Other Receivable Expenses			
SDR	478	-	478
Subcontractor	-	360	360
Litigation Receivable			
D&O Litigation Expense			
SDR	99	-	99
Subcontractor	-	3,859	3,859
Judgment Expense			
SDR	-	-	-
Subcontractor	-	-	-
Investment Account Expense			
SDR	-	-	-
Subcontractor	-	-	-
Other Litigation Expense			
SDR	8,611	-	8,611
Subcontractor	-	47,583	47,583
Sale/Conversion of Investment Assets			
Securities/Bonds Sales Expense			
SDR	-	-	-
Subcontractor	-	-	-
Statutory Deposit Expense			
SDR	-	-	-
Subcontractor	-	-	-
Real Estate Sales Expense	-	-	-
Mortgage Note Expense	-	-	-

Liquidation Oversight Standardized Attested 12 (b) Expenses
AMCARE HEALTH PLANS OF TEXAS, INC.
RECEIVERSHIP #512H
FOR THE MONTH ENDING OCTOBER 31, 2004

	<u>SDR</u>	<u>SUB</u>	<u>TOTAL</u>
Subsidiary Affiliated Expense	-	-	-
Other Asset Sales Expenses	-	-	-
SDR	-	-	-
Subcontractor	-	-	-
Sale of Company Fixed Assets			
Charter Sales Expense	-	-	-
Furniture, Fixtures & Equipment Expense	-	-	-
SDR	-	-	-
Subcontractor	-	-	-
Company Real Estate Expense	-	-	-
Other Fixed Asset Expense	-	-	-
	<hr/>	<hr/>	<hr/>
TOTAL ASSET GROUP EXPENSE	9,188	53,479	62,667
 CLAIMS RELATED GROUP			
Class I Covered Claims Expense			
SDR Fees	-	-	-
SDR Subcontractor Fees	-	-	-
Other Covered Claims	-	-	-
Class I Non Covered Claims Expenses			
SDR Fees	39,631	-	39,631 *
SDR Subcontractor Fees	-	3,270	3,270 *
Other Non Covered Claims	-	195	195
	<hr/>	<hr/>	<hr/>
TOTAL CLAIMS GROUP EXPENSE	39,631	3,465	43,096
 ADMINISTRATIVE RELATED GROUP			
Class I General Admin Expenses			
SDR	-	-	-
Subcontractor	-	-	-
Accounting/Auditing/Federal Income Tax Services	-	997	997
Consulting Fees/Services	-	-	-
Legal Fees/Services	-	1,028	1,028
Liquidation Division Allocation	-	4,344	4,344
Bank/Miscellaneous Charges	-	20	20
Building/Utilities	-	-	-
Contract/Employee	-	-	-
Equipment/Lease/Maintenance	-	-	-
Employee - Payroll, PRTax, Benefits	-	-	-
Inventory/Storage/Moving	-	6,849	6,849
Mailing/Printing/Postage/Publication	-	230	230
Office Supplies/Miscellaneous	-	-	-

Liquidation Oversight Standardized Attested 12 (b) Expenses
AMCARE HEALTH PLANS OF TEXAS, INC.
RECEIVERSHIP #512H
FOR THE MONTH ENDING OCTOBER 31, 2004

	<u>SDR</u>	<u>SUB</u>	<u>TOTAL</u>
Telephone	-	209	209
Travel			-
Class I SDR Admin Expenses			
Administration	3,144	-	3,144
Accounting	556	-	556
Special Services	-		-
Travel	251	-	251
TOTAL GENERAL ADMINISTRATIVE GROUP EXPENSE	<u>3,951</u>	<u>13,677</u>	<u>17,628</u>
GRAND TOTALS	<u>52,770</u>	<u>70,621</u>	<u>123,391</u>

* Includes time spent by contractors and employees to process Medicaid claims for Texas Childrens Health Plans ("TCHP"). TCHP is a contract entered into by the Conservator of Amcare Health Plans of Texas, Inc. to assume Medicaid members and enrollees.

NO. GV 204523

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200TH JUDICIAL DISTRICT

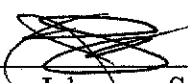
Affidavit

THE STATE OF TEXAS

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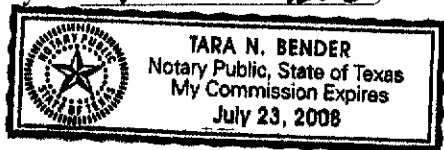
COUNTY OF DALLAS

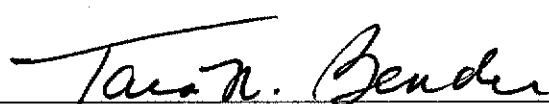
On this day personally appeared before me, Jean Johnson, in her capacity as Special Deputy Receiver of Amcare Management, Inc., upon her oath stated that the foregoing is a true and correct copy of the Statement of Expenses for the period of October 1, 2004, through October 31, 2004, in the receivership estate of Amcare Health Plans of Texas, Inc. and Amcare Management, Inc., in Cause No. GV-204523 pending in the 200th Judicial District Court of Travis County, Texas, pursuant to TEX. INS. CODE ANN. art. 21.28, § 12(b).



Jean Johnson, Special Deputy Receiver of
Amcare Management, Inc.

2nd SWORN TO AND SUBSCRIBED BEFORE ME by Jean Johnson, on this the
day of November, 2004.





Notary Public, State of Texas

Liquidation Oversight Standardized Attested 12 (b) Expenses
AMCARE MANAGEMENT, INC.
RECEIVERSHIP #512M
FOR THE MONTH ENDING OCTOBER 31, 2004

	<u>SDR</u>	<u>SUB</u>	<u>TOTAL</u>
ASSET RELATED GROUP			
Premium			
Collection Expense			
SDR		-	-
Subcontractor	-	-	-
Receivable			
Agent Balance Expense			
SDR	-	-	-
Subcontractor	-	-	-
Reinsurance Expense			
SDR	-	-	-
Subcontractor	-	-	-
Subrogation Expense			
SDR	-	-	-
Subcontractor	-	-	-
Intercompany Receivable Expenses			
SDR	-	-	-
Subcontractor	-	-	-
Other Receivable Expenses			
SDR	17	-	17
Subcontractor	-	-	-
Litigation Receivable			
D&O Litigation Expense			
SDR	11	-	11
Subcontractor	-	463	463
Judgment Expense			
SDR	-	-	-
Subcontractor	-	-	-
Investment Account Expense			
SDR	-	-	-
Subcontractor	-	-	-
Other Litigation Expense			
SDR	798	-	798
Subcontractor	-	2,257	2,257
Sale/Conversion of Investment Assets			
Securities/Bonds Sales Expense			
SDR	-	-	-
Subcontractor	-	-	-
Statutory Deposit Expense			
SDR	-	-	-
Subcontractor	-	-	-
Real Estate Sales Expense			
SDR	-	-	-
Mortgage Note Expense			
SDR	-	-	-

Liquidation Oversight Standardized Attested 12 (b) Expenses
AMCARE MANAGEMENT, INC.
RECEIVERSHIP #512M
FOR THE MONTH ENDING OCTOBER 31, 2004

	<u>SDR</u>	<u>SUB</u>	<u>TOTAL</u>
Subsidiary Affiliated Expense	-	-	-
Other Asset Sales Expenses	-	-	-
SDR	-	-	-
Subcontractor	-	-	-
Sale of Company Fixed Assets			
Charter Sales Expense	-	-	-
Furniture, Fixtures & Equipment Expense	-	-	-
SDR	-	-	-
Subcontractor	-	-	-
Company Real Estate Expense	-	-	-
Other Fixed Asset Expense	-	-	-
	-	-	-
TOTAL ASSET GROUP EXPENSE	826	2,720	3,546
	-	-	-
CLAIMS RELATED GROUP			
	-	-	-
Class I Covered Claims Expense			
SDR Fees	-	-	-
SDR Subcontractor Fees	-	-	-
Other Covered Claims	-	-	-
Class I Non Covered Claims Expenses			
SDR Fees	30	-	30 *
SDR Subcontractor Fees	-	-	- *
Other Non Covered Claims	-	-	- *
	-	-	-
TOTAL CLAIMS GROUP EXPENSE		-	30
ADMINISTRATIVE RELATED GROUP			
Class I General Admin Expenses			
SDR	-	-	-
Subcontractor	-	-	-
Accounting/Auditing/Federal Income Tax Services	-	532	532
Consulting Fees/Services	-	-	-
Legal Fees/Services	-	-	-
Liquidation Division Allocation	-	250	250
Bank/Miscellaneous Charges	-	-	-
Building/Utilities	-	-	-
Contract/Employee	-	-	-
Equipment/Lease/Maintenance	-	-	-
Employee - Payroll, PRTax, Benefits	-	-	-
Inventory/Storage/Moving	-	761	761
Mailing/Printing/Postage/Publication	-	2	2

Liquidation Oversight Standardized Attested 12 (b) Expenses
AMCARE MANAGEMENT, INC.
RECEIVERSHIP #512M
FOR THE MONTH ENDING OCTOBER 31, 2004

	<u>SDR</u>	<u>SUB</u>	<u>TOTAL</u>
Office Supplies/Miscellaneous	-	-	-
Telephone	-	-	-
Travel	-	-	-
Class I SDR Admin Expenses			
Administration	275	-	275
Accounting	53	-	53
Special Services	-	-	-
Travel	-	-	-
TOTAL GENERAL ADMINISTRATIVE GROUP EXPENSE	<u>328</u>	<u>1,545</u>	<u>1,873</u>
GRAND TOTALS	<u>1,154</u>	<u>4,265</u>	<u>5,449</u>

* Includes time spent by contractors and employees to process Medicaid claims for Texas Childrens Health Plans ("TCHP"). TCHP is a contract entered into by the Conservator of Amcare Health Plans of Texas, Inc. to assume Medicaid members and enrollees.

BRIAN E. RIEWE, P.C.

ATTORNEYS & COUNSELORS AT LAW
SMITHVILLE • AUSTIN

Brian E. Riewe
briewe@riewelaw.com

Gregory C. Douglass
gdouglass@riewelaw.com

November 15, 2004

Via Hand Delivery

Honorable Amalia Rodriguez-Mendoza
Travis County District Clerk
Travis County Courthouse
Austin, Texas 78701

Re: Cause No. GV-204523; *State of Texas v. AmCare Health Plans of Texas, Inc. and AmCare Management, Inc.*; In the 200th Judicial District Court of Travis County, Texas.

Subject: Special Deputy Receiver's Statement of Expenses for October 2004 and Special Deputy Receiver's Business Plan for October 2004

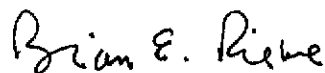
Dear Ms. Rodriguez-Mendoza:

Enclosed for filing are the Special Deputy Receiver's Statement of Expenses for October 2004 and the Special Deputy Receiver's Business Plan for October 2004. I am also enclosing copies of these filings that I would appreciate you file-marking and returning to the carrier.

By copy of this letter, I am providing a copy of this filing to other interested parties.

If you have any questions relating to this filing, please do not hesitate to contact my office. Thank you for your attention to this matter.

Sincerely,



Brian E. Riewe

Enclosures

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cc: Ms. Myra Garrett, via hand delivery
All Parties on Certificate of Service, via e-mail