

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 DECEMBER 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 INS. CODE ANN. art. 21.28, § 12(b), and presents to this Court STATEMENTS OF EXPENSE FOR DECEMBER 2004, for each entity in the above-referenced receivership estate. The Statements of Expense cover the period of December 1, 2004, through December 31, 2004, and are sworn to by the Special Deputy Receiver.

FILED
05 JAN 18 AM 10:54
District Clerk
Travis County, Texas

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

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 18th day of January 2005.

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**
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333 Guadalupe, Tower I
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Email: elizabeth.fuller@tdi.state.tx.us

Ms. Myra Garrett, Liquidation Oversight
Texas Department of Insurance
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Austin, Texas 78701
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Mr. Thomas S. Lucksinger
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Dallas, Texas 75231
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Kaner Medical Group
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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

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THE STATE OF TEXAS

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IN THE DISTRICT COURT OF

VS.

TRAVIS COUNTY, TEXAS

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

200TH JUDICIAL DISTRICT


Affidavit

THE STATE OF TEXAS

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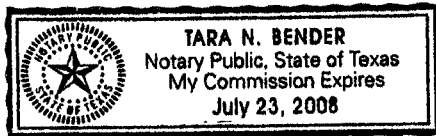
COUNTY OF DALLAS

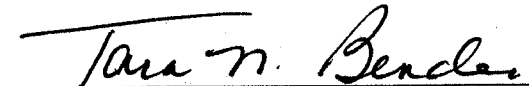
On this day personally appeared before me, Jean Johnson, in her capacity as Special Deputy Receiver of Amcare Health Plans of Texas, Inc., upon her oath stated that the foregoing is a true and correct copy of the Statement of Expenses for the period of December 1, 2004, through December 31, 2004, in 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.

SWORN TO AND SUBSCRIBED BEFORE ME by Jean Johnson, on this the
10th day of January, 2005.





Tara N. Bender
Notary Public, State of Texas

Liquidation Oversight Standardized Attested 12 (b) Expenses
AMCARE HEALTH PLANS OF TEXAS, INC.
RECEIVERSHIP #512H
FOR THE MONTH ENDING DECEMBER 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	88	-	88
Subcontractor	-	160	160
Subrogation Expense			
SDR	-	-	-
Subcontractor	-	7,885	7,885
Intercompany Receivable Expenses			
SDR	-	-	-
Subcontractor	-	-	-
Other Receivable Expenses			
SDR	303	-	303
Subcontractor	-	467	467
Litigation Receivable			
D&O Litigation Expense			
SDR	4,578	-	4,578
Subcontractor	-	6,831	6,831
Judgment Expense			
SDR	-	-	-
Subcontractor	-	-	-
Investment Account Expense			
SDR	-	-	-
Subcontractor	-	-	-
Other Litigation Expense			
SDR	3,993	-	3,993
Subcontractor	-	143,550	143,550
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 DECEMBER 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	8,962	158,893	167,855
 CLAIMS RELATED GROUP			
Class I Covered Claims Expense			
SDR Fees	-	-	-
SDR Subcontractor Fees	-	-	-
Other Covered Claims	-	-	-
Class I Non Covered Claims Expenses			
SDR Fees	48,031	-	48,031 *
SDR Subcontractor Fees	-	2,224	2,224 *
Other Non Covered Claims	-	211	211
	<hr/>	<hr/>	<hr/>
TOTAL CLAIMS GROUP EXPENSE	48,031	2,435	50,466
 ADMINISTRATIVE RELATED GROUP			
Class I General Admin Expenses			
SDR	-	-	-
Subcontractor	-	-	-
Accounting/Auditing/Federal Income Tax Services	-	1,655	1,655
Consulting Fees/Services	-	-	-
Legal Fees/Services	-	600	600
Liquidation Division Allocation	-	2,500	2,500
Bank/Miscellaneous Charges	-	459	459
Building/Utilities	-	-	-
Contract/Employee	-	-	-
Equipment/Lease/Maintenance	-	-	-
Employee - Payroll, PRTax, Benefits	-	-	-
Inventory/Storage/Moving	-	7,171	7,171
Mailing/Printing/Postage/Publication	116	321	437
Office Supplies/Miscellaneous	-	-	-

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

	<u>SDR</u>	<u>SUB</u>	<u>TOTAL</u>
Telephone	-	198	198
Travel			-
Class I SDR Admin Expenses			
Administration	2,542	-	2,542
Accounting	811	-	811
Special Services	754	-	754
Travel	1,145	-	1,145
TOTAL GENERAL ADMINISTRATIVE GROUP EXPENSE	<u>5,368</u>	<u>12,904</u>	<u>18,272</u>
GRAND TOTALS	<u>62,361</u>	<u>174,232</u>	<u>236,593</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

THE STATE OF TEXAS

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IN THE DISTRICT COURT OF

VS.

TRAVIS COUNTY, TEXAS

AMCARE HEALTH PLANS OF TEXAS,
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200TH JUDICIAL DISTRICT


Affidavit

THE STATE OF TEXAS

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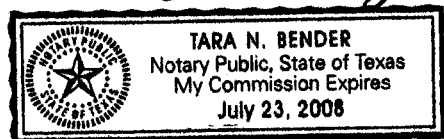
COUNTY OF DALLAS

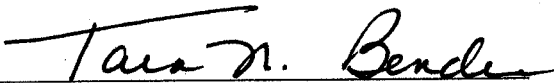
On this day personally appeared before me, Jean Johnson, in her capacity as Special Deputy Receiver of Amcare Management, Inc., upon her oath stated that the foregoing is a true and correct copy of the Statement of Expenses for the period of December 1, 2004, through December 31, 2004, in the receivership 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.

SWORN TO AND SUBSCRIBED BEFORE ME by Jean Johnson, on this the 10th day of January, 2005.





Notary Public, State of Texas

Liquidation Oversight Standardized Attested 12 (b) Expenses
AMCARE MANAGEMENT, INC.
RECEIVERSHIP #512M
FOR THE MONTH ENDING DECEMBER 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	-	-	-
Subcontractor	-	30	30
Litigation Receivable			
D&O Litigation Expense			
SDR	509	-	509
Subcontractor	-	769	769
Judgment Expense			
SDR	-	-	-
Subcontractor	-	-	-
Investment Account Expense			
SDR	-	-	-
Subcontractor	-	-	-
Other Litigation Expense			
SDR	405	-	405
Subcontractor	-	8,792	8,792
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 MANAGEMENT, INC.
RECEIVERSHIP #512M
FOR THE MONTH ENDING DECEMBER 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	914	9,591	10,505
CLAIMS RELATED GROUP			
Class I Covered Claims Expense			
SDR Fees	-	-	-
SDR Subcontractor Fees	-	-	-
Other Covered Claims	-	-	-
Class I Non Covered Claims Expenses			
SDR Fees	-	-	- *
SDR Subcontractor Fees	-	15	15 *
Other Non Covered Claims	-	-	- *
TOTAL CLAIMS GROUP EXPENSE		15	15
ADMINISTRATIVE RELATED GROUP			
Class I General Admin Expenses			
SDR	-	-	-
Subcontractor			
Accounting/Auditing/Federal Income Tax Services	-	599	599
Consulting Fees/Services	-	-	-
Legal Fees/Services	-	-	-
Liquidation Division Allocation	-	250	250
Bank/Miscellaneous Charges	-	23	23
Building/Utilities	-	-	-
Contract/Employee	-	-	-
Equipment/Lease/Maintenance	-	-	-
Employee - Payroll, PRTax, Benefits	-	-	-
Inventory/Storage/Moving	-	776	776
Mailing/Printing/Postage/Publication	-	2	2

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

	<u>SDR</u>	<u>SUB</u>	<u>TOTAL</u>
Office Supplies/Miscellaneous	-		-
Telephone	-		-
Travel	-	-	-
Class I SDR Admin Expenses			
Administration	240	-	240
Accounting	52	-	52
Special Services	37	-	37
Travel	-	-	-
TOTAL GENERAL ADMINISTRATIVE GROUP EXPENSE	<u>329</u>	<u>1,650</u>	<u>1,979</u>
GRAND TOTALS	<u>1,243</u>	<u>11,256</u>	<u>12,499</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
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Gregory C. Douglass
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January 18, 2005

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 December 2004 and Special Deputy Receiver's Business Plan for December 2004

Dear Ms. Rodriguez-Mendoza:

Enclosed for filing are the Special Deputy Receiver's Statement of Expenses for December 2004 and the Special Deputy Receiver's Business Plan for December 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

Brian E. Riewe

Enclosures

UA\3050\LT\Expense ltr.doc

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