

COPY

FILED IN THE DISTRICT
of Travis County, Texas
on 7-19-2005
at 10:00 A.M.
Amalia Rodriguez-Mendoza, Clerk

GV 204523

THE STATE OF TEXAS

v.

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

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IN THE DISTRICT COURT OF
TRAVIS COUNTY, TEXAS

200th JUDICIAL DISTRICT

**ORDER GRANTING APPLICATION FOR AUTHORITY TO
SETTLE AN ASSET RECOVERY CLAIM**

(AmCareco, Inc., Thomas S. Lucksinger, Stephen J. Nazareus, Michael D. Nadler,
William F. Galtney, Jr., Michael K. Jhin, John P. Mudd, Scott Westbrook, Executive Risk
Specialty Insurance Company, Executive Risk Indemnity Inc., Executive Risk Management
Associates, XL Specialty Insurance Company, Greenwich Insurance Company)

On this day came on to be heard the Application for Authority to Settle an Asset Recovery Claim filed by Jean Johnson, Special Deputy Receiver under contract to the Permanent Receiver of AmCare Health Plans of Texas, Inc. and AmCare Management, Inc. ("AmCare-TX"), requesting authority to settle an asset recovery claim in the AmCare-TX receivership proceedings. The Special Deputy Receiver represented to the Court that it is in the best interest of the receivership estate and its creditors and claimants of AmCare-TX to settle this claim on the terms set out in the Application. Having considered the Application, the Court is of the opinion and finds that settlement as proposed is fair and in the best interest of the receivership estate, and its claimants and creditors and that the Application is in all things well taken.

It is therefore ORDERED, ADJUDGED and DECREED that:

1. The settlement agreement in substantially the form of the copy attached to the Application as Exhibit A is approved;
2. All claims as defined in the proposed settlement agreement, except for direct claims, if any, that the Special Deputy Receiver is unable by assignment or operation of law to assert, are released; and

3. The Special Deputy Receiver is authorized to settle this asset claim as described in the Application. The Special Deputy Receiver is further authorized to execute any and all documents necessary in her sound discretion to effect settlement, and adjusting the estate's balance sheet and other financial statements and reports to reflect this settlement.

SIGNED this 19 day of July, 2005.

Margaret A. C...
JUDGE PRESIDING

PROPER NOTICE GIVEN.
NO OBJECTION FILED.
SUBMITTED
RECOMMENDED th
SIGNED ON 18 DAY OF July 2005
Tom Collins
TOM COLLINS, RECEIVERSHIP SPECIAL MASTER