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COMMERCE & INSURANCE  
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JENNIFER L. MILAM

OF COUNSEL:  
DAVID L. STEED  
REBECCA WELLS DEMAREE

January 31, 2011

The Honorable Marie Murphy  
Tennessee Department of Commerce & Insurance  
500 James Roberts Parkway  
Nashville, Tennessee 37243-0565

Re: **In re: Montgomery Development & Construction, LLC**  
**Tennessee Department of Commerce and Insurance**  
**Docket No.: 12.28-110076A**

Dear Ms. Murphy:

Please find enclosed a Final Agreed Judgment that has been executed by both parties in the above-referenced matter. If the Final Agreed Judgment meets with your approval, we would appreciate you signing and entering the same. I have also enclosed a copy of this document. I would appreciate you date- and time-stamping the copy and returning the same to me in the postage pre-paid, self-addressed envelope also enclosed.

I appreciate your assistance with this request. If you have any questions or need additional information, please do not hesitate to contact me at the office or at (615) 390-6086 (Mobile).

Sincerely,

Ben M. Rose

BMR/jlm  
Enclosures

The Honorable Marie Murphy

January 31, 2011

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cc (w/enc):   The Honorable Lynn McCormic England (Via E-mail)  
                  Jacquie Fortenberry (Via E-mail and U.S. Mail)  
                  Mr. Eddie Montgomery (Via E-Mail and U.S. Mail)  
                  Ms. Kim Zersen (Via U.S. Mail)


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2011 FEB -3 PM 2:  
SECRETARY OF STATE



STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE  
Policy Analysis Section  
Workers Compensation Unit

Inter-office Memorandum

**To:** The Honorable Judge Lynn England

**From:** Mike Shinnick, Manager 

**Date:** February 3, 2011

**Reference:** Montgomery Development & Construction, LLC (Final Agreed Judgement)

Enclosed, please find a copy of the "Final Agreed Judgment" executed by all parties, including Marie Murphy. Please have someone in your office time and date stamp this document and return a copy to Ben Rose, as requested. Marie felt it was important to stamp it the day she signed the order.

Please let me know if you have any questions.

RECEIVED  
2011 FEB -3 PM 2:18  
SECRETARY OF STATE

BEFORE THE DEPARTMENT OF COMMERCE AND INSURANCE  
FOR THE STATE OF TENNESSEE

IN THE MATTER OF:

MONTGOMERY DEVELOPMENT &  
CONSTRUCTION, LLC, and AMERICAN  
ZURICH INSURANCE COMPANY

)  
)  
)  
)

Doc. No.: 12.28-110076a

WC Appeal – Insurance

FINAL AGREED JUDGMENT

This cause came on for a hearing on December 20, 2010, at 9:00 A.M., before the Honorable Lynn England, Administrative Law Judge, and the Commissioner's Designee, Marie Murphy, at which time it was announced to the Court that the parties had reached the following agreement in this matter:

Judgment shall enter in favor of American Zurich Insurance Company ("Zurich") and against Montgomery Development & Construction, LLC ("Montgomery Development"), in the amount of \$ 21,154.00, together with post-judgment interest, with regard to the Workers' Compensation and Employers Liability Policies (Policy Numbers 9920L410 and 4208P069) for insurance coverage from 11/6/08 to 8/16/09 and 5/1/10 to 7/21/10.

Costs of this appeal are taxed against Montgomery Development, for which execution may issue, if necessary.

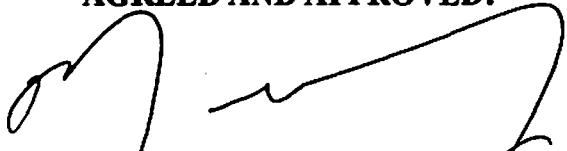
The Court is pleased that the parties have reached the foregoing agreement and enters the same as the Court's Order.

IT IS SO ORDERED.

ENTER: this 3<sup>rd</sup> day of February, 2011.

*Marie Murphy*  
\_\_\_\_\_  
THE HONORABLE MARIE MURPHY,  
COMMISSIONER'S DESIGNEE

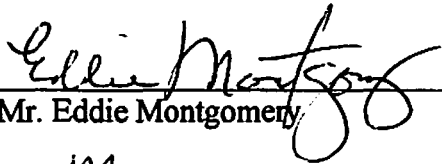
**AGREED AND APPROVED:**



---

Ben M. Rose (#21254)  
J. Matthew Blackburn (#27185)  
CORNELIUS & COLLINS, LLP  
Suite 1500, Nashville City Center  
511 Union Street  
Post Office Box 190695  
Nashville, Tennessee 37219  
(615) 244-1440

Attorneys for American Zurich Insurance Company



---

Mr. Eddie Montgomery

Its: Managers  
Montgomery Development & Construction, LLC  
1803 Old Berlin Road  
Lewisburg, Tennessee 37091

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and exact copy of the foregoing has been sent by e-mail and/or U.S. Mail, postage prepaid, to the following on this 3<sup>rd</sup> day of June 2011:

Mr. Eddie Montgomery  
Montgomery Development & Construction, LLC  
1803 Old Berlin Road  
Lewisburg, Tennessee 37091

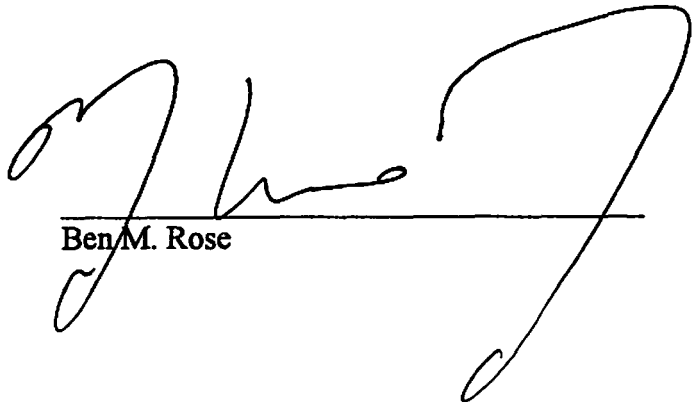
**Via E-Mail and U.S. Mail**

Ms. Jacquie Fortenberry  
Department of Commerce and Insurance  
Insurance Division - Actuarial Services Section  
4th Floor, 500 James Robertson Parkway  
Nashville, Tennessee 37243-1133

**Via E-Mail and U.S. Mail**

Ms. Kim Zersen,  
Assistant Vice President  
Aon Risk Services  
11213 Davenport Street, Suite 201  
Omaha, Nebraska 68154-2604

**Via U.S. Mail Only**



Ben M. Rose