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Dav. Co. Chancery Court

IN THE CHANCERY COURT OF THE STATE OF TENNESSEE
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY

STATE OF TENNESSEE, *ex rel.* LESLIE A. NEWMAN)
in her official capacity as COMMISSIONER OF)
COMMERCE AND INSURANCE, on behalf of)
the employees of Norwalk Furniture Corporation of)
Tennessee (aka Norwalk Wood Products Division) for)
Tennessee self-insured workers' compensation)
benefits,)

Petitioner,)

vs.)

MIDWEST EMPLOYERS CASUALTY COMPANY,)
A Missouri domiciled insurance company, and)
NORWALK FURNITURE CORPORATION OF)
TENNESSEE, A Tennessee domiciled corporation.)

Respondents.)

*Re: Bond for Workers' Compensation Self-Insurance of)
Norwalk Furniture Corporation of Tennessee – for claims)
incurred January 1, 1992 to July 1, 2007.)*

No. 09-384-III

CLERK & MASTER
DAVIDSON CO. CHANCERY CT.
D.C. & M.

2009 MAR -4 AM 10:13

FILED

**AGREED ORDER SETTING AMENDED HEARING DATE ON THE PETITION FOR
ORDER REQUIRING BOND COMPANY TO PAY BOND PENALTY SUM AND TO
DISCHARGE BOND, FOR ORDER OF ADMINISTRATION OF BOND FUND AND
INJUNCTIVE RELIEF**

The Petitioner, Commissioner of Commerce and Insurance, through counsel, and counsel for Respondent Midwest Employers Casualty Company (MWECC), have agreed and the Court approves a rescheduling of the date established in the original Order to Show Cause and Setting Hearing date for hearing the Verified Petition. The changed date is needed to avoid a conflict that MWECC's counsel has with the original date due to a previously set Court hearing.

WHEREFORE, the parties agree and IT IS HEREBY ORDERED THAT the hearing date on the Verified Petition shall be heard on **April 2, 2009 at 12:00 noon (central time) in Part III** of this Davidson County Chancery Court, Metro Courthouse, Courthouse Square, Nashville, TN,

to consider whether this Court should grant the Petition, to administer funds, as set forth in the Prayer of the Commissioner's Petition, and the related injunctions to protect the administration of the Bond Funds. At such time the Respondents or any persons who may wish to object to the procedure to administer this case shall show cause why the Order should not be granted as requested by the Commissioner. The Court will not determine any specific person's entitlement to an award of benefits from the fund to be held by the Commissioner at this hearing, but only whether the requested administrative relief will be granted. Any objections should be filed in writing prior to the hearing with the Clerk & Master of this Court before the close of business on March 30, 2009, and a copy delivered to the counsel for the State, Sarah A. Hiestand, Senior Counsel, Financial Division, Attorney General's Office, P.O. Box 20207, Nashville, TN 37202.

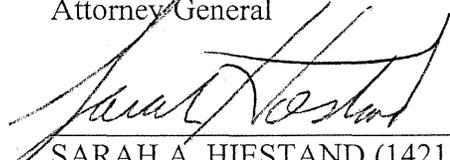
All other provisions of the order to show cause issued on March 3, 2009 shall remain the same. The Commissioner's counsel shall serve a copy of this amended order promptly after entry on all the Respondents and service parties who are to receive the original order and the Verified Petition, and submit proof of service to the Court.

IT IS SO ORDERED.


CHANCELLOR

Agreed and Approved for entry by:

ROBERT E. COOPER, JR.
Attorney General


SARAH A. HIESTAND (14217)
Senior Counsel, Financial Division
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P.O. Box 20207

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Attorney for Petitioner Leslie A. Newman,
Commissioner, Tennessee Department of Commerce and Insurance

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