

FILED
08-24-2021
CIRCUIT COURT
DANE COUNTY, WI
2019CV001209

NORTHWESTERN NATIONAL INSURANCE COMPANY OF MILWAUKEE, WISCONSIN In Liquidation

August 24, 2021

RE: Northwestern National Insurance Company of Milwaukee, Wisconsin ("NNIC") Liquidation Proof of Claim ("POC") Denial
Case Name: In the Matter of the Liquidation of NNIC
Case No: 2019CV001209

NNIC was placed into Liquidation consistent with Wisconsin Statute § 645.41 by court order on May 2, 2019. Pursuant to the Liquidation Order, the Wisconsin Commissioner of Insurance was appointed as Liquidator. You have filed one or more POCs in the Liquidation of NNIC. The Liquidator has reviewed your claim and determined that it meets the definition of a class five claim under Wisconsin Statute § 645.68. Wisconsin Statute § 645.68 defines class five claims as follows:

RESIDUAL CLASSIFICATION. All other claims, including claims of any state or local government, not falling within other classes under this section and claims described in s. 645.69. Claims, including those of any state or local governmental body, for a penalty or forfeiture, shall be allowed in this class only to the extent of the pecuniary loss sustained from the act, transaction or proceeding out of which the penalty or forfeiture arose, with reasonable and actual costs occasioned thereby. The remainder of such claims shall be postponed to the class of claims under sub. (8).

This letter is to regretfully inform you that your POC and any associated POCs that you have filed are denied. This denial is based on the lack of claims-paying resources available to the Liquidator and is not a determination on the merits of your POC. Attached to this letter for your review is the most recent financial statement of NNIC that has been filed with the court.

The denial of your POC is based on Wisconsin Statute § 645.65 which states in part, "*When a claim is denied in whole or in part by the liquidator, written notice of the determination and of the right to object shall be given promptly to the claimant.*" The Liquidator has sought all available assets justifying the expenses of collection and has determined that no filed POCs will be paid in whole.

If any claims-paying resources are available after administrative costs are paid, the Liquidator will ask the court to split the remaining claims-paying resources equally among all class three claims that have been timely filed, not to exceed the total value of a filed claim. This proposal is based on the Liquidator's determination that it will cost more in additional administrative costs than leftover claims-paying resources to make a determination regarding the merits or class-of each claim under Wisconsin Statute § 645.68 order of distribution.

Under Wisconsin Statute § 645.74, the Liquidator will represent to the court that all assets justifying the expenses of collection and distribution have been collected.

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Per Wisconsin Statute § 645.65, **if you would like to object to the denial of your claim or the determination of the class of your claim, you must do so with the court within 60 days from the mailing of this notice.** The case name and case number are stated above. **If objections are not filed within that period, you may not further object to the denial of your POC.** If you file an objection, the Liquidator will ask the court for a hearing as soon as practicable and will give notice of the hearing to you and your attorney by first class mail not less than 10 or more than 20 days before the date of the hearing.

If you have any questions regarding your POC, the attached financial statement, the objection process for your POC, or any other content of this letter, you can call or email Attorney James C. Boll who represents the Liquidator at the following:

Attorney James C. Boll
St. Marie Boll
10 E. Doty Street, Suite 617
Madison, WI 53703
Email: jcb@stmarieboll.com
608-467-8784

Sincerely,



Amy J. Malm
Special Deputy Liquidator