

1 MARK E. FERRARIO, Bar No. 1625
2 KARA B. HENDRICKS, Bar No. 7743
3 GREENBERG TRAUERIG, LLP
4 10845 Griffith Peak Drive, Suite 600
5 Las Vegas, Nevada 89135
6 Telephone: (702) 792-3773
7 Facsimile: (702) 792-9002
8 Email: ferrariom@gtlaw.com
9 hendricksk@gtlaw.com
10 *Attorneys for Petitioner*

11 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
12 **IN AND FOR THE COUNTY OF WASHOE**

13 STATE OF NEVADA, EX REL.
14 COMMISSIONER OF INSURANCE, IN HER
15 OFFICIAL CAPACITY AS STATUTORY
16 RECEIVER FOR DELINQUENT DOMESTIC
17 INSURER,

18 *Petitioner,*

19 vs.

20 PHYSICIANS INDEMNITY RISK RETENTION
21 GROUP, INC., a Nevada Domiciled Association
22 Captive Insurance Company,

23 *Respondent.*

CASE NO. CV20-00496
DEPARTMENT 1

24 **MOTION REQUESTING THE SETTING OF A CLAIMS FILING DEADLINE**
25 **AND GRANTING RELATED RELIEF**

26 Barbara D. Richardson, Commissioner of Insurance (the “Commissioner”) in her capacity as
27 Permanent Receiver (“Receiver”) of Physicians Indemnity Risk Retention Group, Inc., (“PIRRG” or the
28 “Company”), hereby submits this Motion requesting the Setting of a Claims filing deadline and granting
related relief (the “Motion”).

//

//

1 **MEMORANDUM OF POINTS & AUTHORITIES**

2 **I. INTRODUCTION**

3 By and through the subject Motion, Petitioner as the Permanent Receiver of PIRRG and
4 Regulatory Services Group (“RSG”) the Special Deputy Receiver (“Receiver”)¹ of PIRRG seek the
5 setting of a claims filing deadline and procedures relating to the same. Based on this Court’s recent
6 finding that PIRRG is insolvent, it is appropriate that a process be established by which claims can be
7 filed and adjudicated as contemplated by NRS 696B.330, NRS 696B.460, and NRS 696B.420. For the
8 reasons set forth below, the Receiver requests that the claims filing deadline in this matter be set for
9 December 1, 2022.

10 **II. RELEVANT FACTUAL BACKGROUND**

11 PIRRG was an incorporated association formed as a captive insurance company organized under
12 the insurance laws of the State of Nevada and the Liability Risk Retention Act of 1986. In accordance
13 with Chapter 694C of the Nevada Revised Statutes (NRS), PIRRG operated as a risk retention group
14 as that term is defined by NRS 694C.141. PIRRG was domiciled in the State of Nevada and received
15 its initial Certificate of Authority on July 28, 2006. PIRRG received an amended Certificate of Authority
16 on February 8, 2018 thereby updating its statutory home office to Reno, Nevada. As a risk retention
17 group, PIRRG wrote professional liability insurance to physicians and their medical groups under
18 claims-made indemnity policies.

19 On March 12, 2020, the Commissioner petitioned this Court pursuant to NRS 696B.250 to seek
20 her appointment as Receiver of PIRRG for the purpose of its rehabilitation, conservation or liquidation,
21 and to grant permanent injunction and other relief authorized by Chapter 696B of the NRS and other
22 applicable law in order to protect PIRRG’s policyholders, creditors and the public from the dangers and
23 risks inherent to the delinquency of this entity. On March 19, 2020 this Court granted injunctive relief
24 and appointed the Commissioner as Temporary Receiver and issued an order, pursuant to NRS
25 696B.250(2) and further directing PIRRG to appear in court on March 31, 2020 and show cause why
26

27 ¹ On April 2, 2020 the Nevada Insurance Commissioner in her court-appointed capacity as Temporary
28 Receiver of PIRRG retained the services of Regulatory Services Group to act as the Special Deputy Receiver for
PIRRG. Regulatory Services Group (“RSG” or “SDR”) acting as the SDR is vested with all the rights, duties
and authority of the Receiver, subject to the supervision of the Nevada Insurance Commissioner as Receiver
and of the Court.

1 the Commissioner's petition should not be granted. After a series of court filings and delays, on
2 February 2, 2021, Petitioner filed a Motion for Order of Liquidation and Other Permanent Relief.
3 Thereafter, a show cause hearing went forward on December 6, 2021 and January 14, 2022. As a result
4 of the same, on March 29, 2022, this Court entered an Order of Permanent Receivership (“Permanent
5 Receivership Order”) and an Order Granting Motion for Liquidation (“Liquidation Order”).

6 With a Liquidation Order and Permanent Receivership Order in place, it is now appropriate to
7 establish a procedure by which individuals and entities with claims against PIRRG can submit the same
8 to the Receiver for evaluation and payment as set forth in NRS 696B.330, NRS 696B.460, and NRS
9 696B.420.

10 III. LEGAL ANALYSIS

11 The Receiver is required pursuant NRS 696B.330 to determine whether to approve or deny, in
12 whole or in part, every claim against the insurer in receivership. The process for doing so is governed
13 by statute.² Notably, NRS 696B.330 authorizes the Receiver to establish a process by which claimants
14

15 ² **NRS 696B.330 Form of claim; notice; hearing.**

16 1. All claims against an insurer against which delinquency proceedings have commenced must be filed in the manner
17 and form established by the receiver and set forth in reasonable detail the amount of the claim, or the basis upon which that
18 amount can be ascertained, the facts upon which the claim is based, and the priorities asserted, if any. All such claims must
19 be verified by the affidavit of the claimant, or someone authorized to act on the behalf of the claimant and having knowledge
20 of the facts, and be supported by such documents as may be material thereto.

21 2. All claims filed in this State must be filed with the receiver, whether domiciliary or ancillary, in this State, on or before
22 the last date for filing as specified in this chapter or as directed by the court.

23 3. Except as otherwise provided in subsection 4, after the last date for filing a claim against an insurer as specified in
24 this chapter, the receiver shall:

25 (a) Determine whether to approve or deny, in whole or in part, each claim against the insurer filed with the receiver
26 pursuant to subsection 2; and

27 (b) If the receiver approves a claim, in whole or in part, determine the class of the claim as provided in [NRS 696B.420](#).

28 4. The receiver is not required to process any claims in a class until it appears that assets will be available for
distribution to that class. If there are insufficient assets to process claims for a class, the receiver shall notify the court and
may make a recommendation to the court for the processing of any such claims.

5. The receiver shall mail, by first-class mail, postage prepaid, to each claimant that filed a claim with the receiver
pursuant to subsection 2, written notice of the determination regarding the claim.

6. The receiver shall submit to the court a report on the determination of the receiver on each claim approved in whole
or in part.

7. Not more than 60 days after the mailing of the written notice pursuant to subsection 5 or the submission of the report
pursuant to subsection 6, whichever occurs later, a person may file with the receiver an objection to the determination of the
receiver on a claim.

8. If an objection is filed pursuant to subsection 7, the receiver shall submit to the court a report on the determination
of the receiver on each claim to which an objection has been filed. The court shall fix a time for a hearing on such claims and
shall direct the receiver to give notice of the hearing. The notice provided by the receiver must:

(a) Be sent to the claimant by first-class mail, postage prepaid, not more than 30 days and not less than 10 days before
the hearing, on any claim to which an objection has been filed; and

(b) Specify the time and place of the hearing.

1 may set forth in reasonable detail the amount of their claims against the assets of PIRRG, the facts upon
2 which those claims are based, and any priorities asserted. NRS 696B.460 authorizes the Court to
3 approve the manner of notice for this claim filing process as well as to set the deadline for the filing of
4 claims. Indeed, after the entry of insolvency, the Commissioner is required to notify all persons who
5 may have claims against PIRRG to file such claims by a date specified in the notice and the failure of
6 claims to be filed by that date acts as a bar to the same. *See* NRS 696B.460(2). Importantly, the statute
7 also specifies that notice provided to claimants be not less than 6 months after the entry of the order of
8 the insolvency and should be a period deemed reasonable by the Court. *Id.* Distribution of claims are
9 also governed by statute. NRS 696B.420 directs the Receiver to pay claims in the order of priority as
10 provided therein.

11 **A. Request for Approval of Claim Procedures and Notice.**

12 The Permanent Receivership Order authorizes the Receiver to establish a Receivership Appeal
13 Procedure (“RAP”) to facilitate the orderly disposition or resolution of claims or controversies involving
14 the receivership estate. *See*, Permanent Receivership Order at ¶ 7. As set forth in detail below, the
15 Receiver is requesting the setting of a claims filing deadline, approval of the process for submitting and
16 processing of claims, and approval of the related appeals process. The Receiver hereby requests that
17 the Court approve the form of the exhibits attached to this Consolidated Motion as **Exhibits 1-5 (Exhibit**
18 **1, Notice of Liquidated and Claims Filing Deadline; Exhibit 2, Proof of Claim Form; Exhibit 3, Claims**
19 **and Appeals Procedure and Instructions; Exhibit 4, Appeal Form; and Exhibit 5, Notice for**
20 **Publication).**

21 In addition to the foregoing, the Receiver seeks Court approval of the methods by which the
22 claims information will be provided to interested parties. Here, the Receiver believes it is prudent to
23 serve a copy of the order placing PIRRG into Liquidation and the order approving the claims deadline
24 and claims process by: (1) mailing and/or emailing notice to the categories of persons described below;
25 (2) by providing notice *via* newspaper publication; and (3) through the Company’s website.³ The

26 ^{9.} *A hearing may be conducted by the court or by a master or referee appointed by the court. If a hearing is conducted*
27 *by a master or referee, the master or referee shall submit findings of fact and recommendations to the court. The court shall*
28 *enter an order approving or denying, in whole or in part, a claim filed against an insurer. Any such order is an appealable*
order.

³ Information regarding the PIRRG Receivership is available online at www.rsgca.org under the Physicians Indemnity Risk Retention Group, in Liquidation link.

1 Receiver believes that providing service of these orders, in the manner described below, would be fair,
2 reasonable, and sufficient, and would comport with the requirements of Nevada law and due process.

3 **1. Notice by Mail and Email**

4 The Receiver proposes that a copy of the order placing PIRRG into Liquidation and the order
5 approving the claims procedures and deadline be sent by First Class U.S. mail and/or as follows:

- 6 a. All known persons identified as actively insured by PIRRG on the date of
7 receivership;
- 8 b. All known persons identified as ever having previously been insured by a
9 PIRRG policy;
- 10 c. All persons identified as having submitted claims to PIRRG that have, as of
11 the date of receivership, not been resolved and/or settled;
- 12 d. All attorneys currently or previously representing claimants or insureds of
13 PIRRG;
- 14 e. All known present and former agents, brokers, and reinsurers of the Company;
- 15 f. All known general creditors and vendors;
- 16 g. Government agencies with potential or known claims against PIRRG,
17 including the Internal Revenue Service, the Centers for Medicare and
18 Medicaid Services, the United States Department of Justice, the Nevada
19 Attorney General, and any other regulatory departments and agencies which
20 have corresponded with PIRRG and mentioned pending claims;
- 21 h. Financial institutions with a history of business with PIRRG; and
- 22 i. All other persons who request in writing to receive this notice or information
23 regarding the receivership claim process.

24 **2. Notice by Publication**

25 The Receiver also proposes to cause publication of notice of the orders placing PIRRG into
26 Liquidation and the order approving the claims procedures and deadline at least once a week for two (2)
27 consecutive weeks in USA Today and the Las Vegas Review-Journal.

28 _____

1 Such notice would be reasonably calculated to inform any unknown creditors of those matters
2 and afford them an opportunity to file their claims with the Receiver. The notice would be in a form
3 substantially similar to **Exhibit 5**. The Receiver requests, as part of the notice procedures approved by
4 this Court, that notice of publication will serve as a substitute for any interested party of PIRRG that does
5 not receive actual and/or timely notice of the entry of this Court’s order. Publication will begin within
6 fifteen (15) business days after the Notice of Entry of Order on this Motion.

7 **3. Notice Through the Company Website**

8 The Receiver proposes to provide notice of the Court’s final order liquidating PIRRG and setting
9 forth the claims procedures and deadlines on PIRRG’s website and will post the same no later than five
10 (5) business days after the Notice of Entry of Order on this Motion.

11 The website is already online and accessible to the public, and receivership information is being
12 routinely posted to this web site.⁴

13 **B. Request for Approval of Claims Filing Deadline**

14 As referenced above, NRS 696B.460 states that after the entry of an order of liquidation, the
15 Commissioner shall notify all persons who may have claims against the insurer in receivership to file
16 such claims with the Commissioner within the time specified. The statute further provides that the time
17 specified in the notice shall be fixed by this Court and shall be not less than six (6) months after the
18 entry of the order. Here, the Receiver requests that the Court set a claims filing deadline of December
19 1, 2022 (the “Claims Filing Deadline”).

20 A deadline of December 1, 2022, will allow all parties in interest sufficient time and opportunity
21 to identify and file claims.⁵ If a person fails to file a claim with the Receiver by the Claims Filing
22 Deadline, and in the method provided by this Court’s Order, NRS 696B.460(2) provides that the claim
23 “shall be forever barred.” In keeping with NRS 696B.460(2), the Receiver requests this Court to order
24

25 ⁴ Information regarding the PIRRG Receivership is available at www.rsgca.org. by and through the Physicians
26 Indemnity Risk Retention Group, in Liquidation link. The mailing, print publication, and web site publication
27 notices will be similar except that non-substantive text edits and formatting adjustments will be made to make each
28 notice conform to its applicable medium (for instance, the word “enclosed” in a mail notice may be changed to
“see link below,” for the web posting).

⁵ Prior to the Permanent Receivership Order, the Special Deputy Receiver (“SDR”) retained and worked through
the local PIRRG staff to ensure the majority of PIRRG policies were transferred in 2020. The SDR ensured all
policies being accepted by ISMIE were on terms and conditions consistent with their existing PIRRG coverage.
By the 3rd quarter of 2020 all policies scheduled to be transferred to ISMIE had been transferred.

1 that all claims against PIRRG not postmarked on or before December 1, 2022, and sent to the address
2 specified by the Receiver, be deemed untimely and be barred, not subject to processing by the Receiver,
3 and ineligible to share in any distribution of the assets of the estate.

4 **1. Tail Policy Claims and Potential Tolling Issues**

5 All primary in-force malpractice insurance has lapsed as of the entry of the Receivership Order.
6 However, the Receiver proposes extending the claims report period for tail coverage only, through the
7 receivership claims filing deadline, which is proposed as December 1, 2022, unless the actual end of tail
8 coverage under each individual policy occurs first.⁶

9 **2. Other Considerations for Minors & Contingent Claims**

10 The Receiver has also considered that there may be potential and/or hypothetical issues relating
11 to the tolling of statutes of limitation for minor claimants (under the age of 18) against PIRRG insureds,
12 but the Receiver has not yet received actual notice of any such circumstances. If the Receiver becomes
13 aware of minor claims, the Receiver will then propose a resolution to such issues and will seek this
14 Court's approval and further instruction via separate motion for instructions.

15 With respect to contingent claims, in general, no contingent and unliquidated claim should share
16 in a distribution of the assets of an insolvent insurer, per NRS 696B.450. However, NRS 696B.450
17 provides several exceptions:

18 1. If the claim becomes absolute against the insurer on or before the claims filing deadline.
19 NRS 696B.450(1)(a).

20 2. If there is a surplus and the liquidation is thereafter conducted on the basis that the insurer
21 is not insolvent. NRS 696B.450(1)(b).

22 3. If a person has a cause of action against an insured of the insurer, and can meet the
23 requirements of NRS 696B.450(2).

24 Accordingly, the Receiver requests that this Court order that claims which have not been
25 liquidated in amount and made non-contingent on or before the Claims Filing Deadline may not share
26 in the assets of the receivership estate unless the claimant meets one of the exceptions found in NRS
27 696B.450, which will be in the Receiver's sole discretion to determine.

28

⁶ As of December 31, 2021, all but eleven PIRRG policies involving tail coverage were transferred to new insurers or expired on their own terms.

1 **C. Submission and Processing of Claims**

2 Per NRS 696B.330(1), all claims filed against PIRRG must be filed in the manner and form
3 established by the Receiver, be verified by the affidavit of the claimant (or someone authorized to act
4 on the claimant’s behalf) and be supported by documentation. The Receiver requests the Court’s
5 approval to require that all claims against the estate be submitted on the Proof of Claim (“POC”) form
6 attached as **Exhibit 2**, and according to the instructions attached as **Exhibit 3**.

7 The Receiver seeks authority for the Receiver to process POCs and to make distributions on
8 approved claims after all POCs have been finally resolved, according to the requirements of: (1) NRS
9 696B.420, which requires the payment of each class of approved creditor claims in full, or to retain
10 adequate funds for such payment, before making even partial payments on any inferior class of creditor
11 claims; (2) NRS 696B.450, which precludes payment on any claim that is not rendered absolute (*i.e.*,
12 both non-contingent and liquidated in amount) on or before the proposed Claims Filing Deadline; (3)
13 NRS 696B.330 which provides, *inter alia*, that every claim against an insurer in receivership must be
14 filed in a manner and form that sets forth in reasonable detail the amount of the claim, the facts
15 underlying the claim, and any payment priority asserted; and (4) such other requirements as this Court
16 may provide in its Final Order.

17 **D. Appeals**

18 In accordance with Nevada law, the Receiver proposes to adopt the Receivership Claims and
19 Appeal Procure and Instructions (“RAP”) set forth in **Exhibit 3** and the Appeal Form set forth in **Exhibit**
20 **4** in order to facilitate the orderly disposition or resolution of claims or controversies involving the
21 PIRRG receivership estate. Decisions of the Receiver to which the RAP will apply include decisions
22 that concern any type of claim against the receivership estate (both policy claims as well as non-
23 insurance claims), and will also include decisions that concern non-claim matters, so long as the decision
24 affects, or may affect, a financial interest, contract right, or legal entitlement of the receivership or the
25 person asserting the appeal.

26 The Receiver will mail, by first-class mail, postage prepaid, to each claimant that filed a POC,
27 written notice of the determination regarding the claim. NRS 696B.330(5). Pursuant to the RAP,
28 claimants have sixty (60) days after the mailing of the written notice to file with the Receiver an

1 objection to the determination of the Receiver on the claim (*i.e.*, an appeal). NRS 696B.330(7). The
2 Receiver will report to the Court any unresolved objections, so that a hearing may be set for the
3 resolution of such claims. NRS 696B.330(8). The Receiver will notify claimants of the time and place
4 of the hearing. *Id.*

5 **III. CONCLUSION**

6 Based on this Court's recent finding that PIRRG is insolvent, it is appropriate that a process be
7 established by which claims can be filed and adjudicated as contemplated by NRS 696B.330.
8 Accordingly, the Receiver seeks this Court's approval of the procedures set forth herein and the forms
9 attached hereto for the filing and submittal of PIRRG claims. Additionally, the Receiver requests that
10 claims filing deadline in this matter be set for December 1, 2022 or at least six months after the Notice
11 of Entry of the Order on this Motion as ordered by this Court.

12 **AFFIRMATION**

13 (PURSUANT TO NRS 239B.030)

14 The undersigned does hereby affirm that the preceding document does not contain any personal
15 information.

16 DATED this 22nd day of April, 2022.

17
18 */s/ Kara B. Hendricks*

19 MARK E. FERRARIO, Bar No. 1625
20 KARA B. HENDRICKS, Bar No. 7743
21 **GREENBERG TRAUIG, LLP**
22 10845 Griffith Peak Drive, Suite 600
23 Las Vegas, Nevada 89135
24 Telephone: (702) 792-3773
25 Facsimile: (702) 792-9002
26 Email: ferrariom@gtlaw.com
27 hendricksk@gtlaw.com

28 *Attorneys for Petitioner*

CERTIFICATE OF SERVICE

Pursuant to Nev. R. Civ. P. 5(b)(2)(D) I certify that on this 22nd day of April 2022, I caused a true and correct copy of the foregoing ***Motion Requesting the Setting of a Claims Filing Deadline and Granting Related Relief*** to be filed system and served electronically via the with this Court’s Electronic Filing System upon all parties registered to this action.

Vernon E. (“Gene”) Leverty
832 Willow Street
Reno, Nevada 89502
gene@levertylaw.com

/s/ Andrea Lee Rosehill
Employee of Greenberg Traurig, LLP

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

INDEX TO EXHIBITS

EXHIBIT	DESCRIPTION	PAGES
1	Notice of Liquidated and Claims Filing Deadline	1
2	Proof of Claim Form	2
3	Claims and Appeals Procedure and Instructions	2
4	Appeal Form	2
5	Notice for Publication	1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT 1
Notice of Liquidated and Claims Filing Deadline

**IMPORTANT NOTICE OF LIQUIDATION AND CLAIMS FILING DEADLINE
TO ALL PERSONS INTERESTED IN THE AFFAIRS OF PHYSICIANS INDEMNITY
RISK RETENTION GROUP, INC.**

This notice provides important information regarding the liquidation of Physicians Indemnity Risk Retention Group Inc. (“PIRRG”). On March 29, 2022 PIRRG was placed in receivership by order (the “**Permanent Receivership Order**”) of the Second Judicial District Court of the State of Nevada (the “**Receivership Court**”) and the Receivership Court entered its Final Order Placing PIRRG into Liquidation (the “**Liquidation Order**”). Barbara D. Richardson, the Nevada Commissioner of Insurance, is the Receiver of PIRRG and Regulatory Services Group, is the appointed Special Deputy Receiver (“**SDR**”) of PIRRG. On (TBD) the Receivership Court entered its Final Order Setting Claims Filing Deadline for PIRRG and Related Relief (the “**Claims Order**”). The Liquidation Order and Claims Order are enclosed and should be read in their entirety rather than just reading this notice.

The Claims Order approves a proof of claim (“POC”) process for filing claims against PIRRG and establishes **December 1, 2022**, as the **Claims Filing Deadline** for the submission of such claims. All claims against PIRRG will be handled as claims against the PIRRG receivership estate, and all proceedings are governed by applicable Nevada law. **All claims must be submitted on the approved POC Form (enclosed herein). Late-filed POCs will be barred from sharing in any distribution of PIRRG’s assets. In order for a POC to be considered timely filed, it must be postmarked or delivered to the SDR on or before December 1, 2022.** In addition to being timely filed, claims must also be non-contingent by the Claims Filing Deadline to share in any distribution of PIRRG’s assets. Claims that remain contingent after December 1, 2022, will also be barred (subject to any exceptions found in NRS 696B.450, which will be in the Receiver’s sole discretion to determine).

Please read, and follow the instructions within, the enclosed Receivership Claims and Appeals Procedure to submit your POC. Failure to complete the POC Form according to the instructions may cause your claim to be delayed or disallowed. Please also note that although your claim may be approved in whole or in part, the receivership estate may only be able to pay a portion of your approved claim depending on the remaining assets of the estate.

Notice for Tail Policyholders: All primary in-force malpractice insurance has lapsed as of the entry of the March 29, 2022 Permanent Receivership Order. However, the Claims Order extends the claim reporting period—*for tail coverage only*—through the receivership Claims Filing Deadline (*i.e.*, **December 1, 2022**) or the actual end of tail coverage under each individual policy, whichever deadline date occurs first. Tail policyholders still must follow the Receivership Claims and Appeals Procedure to submit any kind of claim against the PIRRG estate. The extended claim reporting period does not apply to policies without tail coverage, or to policies with tail coverage that expired on or prior to March 29, 2022.

The Liquidation Order directs the Receiver to liquidate and wind down the affairs of PIRRG. Future notices about receivership matters, which could impact your rights, will be made available through the Regulatory Services Group (“RSG”) web site (www.rsgca.org) and the link for Physicians Indemnity Risk Retention Group, in Liquidation. You may wish to check the site on an ongoing basis to stay informed. You may ask questions about the claim process or request printed copies of the POC Form and the Receivership Claims and Appeals Procedure by calling (415) 676-2166 or by writing to Regulatory Services Group, Attention: PIRRG SDR, P.O. Box 26894, San Francisco, CA 94126. You are responsible for keeping the SDR apprised of any change in your address to assure your receipt of any mailed notices or correspondence.

EXHIBIT 2
Proof of Claim Form

PHYSICIANS INDEMNITY RISK RETENTION GROUP, INC.

PROOF OF CLAIM FORM

Proof of Claim Number: XXXXXXXX

Return this completed Proof of Claim Form with necessary supporting documentation to:

Regulatory Services Group
Attention: PIRRG SDR
P. O. Box 26894
San Francisco, CA 94126

Please carefully read the Receivership Claims and Appeal Procedure & Instructions prior to completing this Proof of Claim Form. Please print or type.

_____	\$ _____
Name of Claimant	Total Amount of Claim
_____	_____
Street Address	Soc. Sec. or Tax ID Number
_____	_____
City State Zip	Telephone Number
_____	_____
E-mail Address	Facsimile Number

If the claimant is represented by an attorney, please complete the following section:

_____	_____
Name of Attorney	Bar Card No.
_____	_____
Name of Law Firm	Tax ID Number
_____	_____
Street Address	Telephone Number
_____	_____
City State Zip	Facsimile Number

E-mail Address	

All claims submitted to the Special Deputy Receiver shall set forth in reasonable detail the amount of the claim, or the basis upon which that amount can be ascertained, the facts upon which the claim is based, and the priorities asserted, if any. Claims must be verified by the affidavit of the claimant (or someone authorized to act on the behalf of the claimant and having knowledge of the facts) and be supported by the applicable written documentation or proof. **NOTE: ATTACH COPY OF POWER OF ATTORNEY.**

Explanation of Claim:

Attach additional pages if necessary. If this is a policy claim, please include policy and claim number(s) and state whether or not the claim has previously been reported to PIRRG or PIRRG's claim administrator.

State of _____

§

County of _____

§

§

Unless noted herein, I alone am entitled to file this claim, no others have an interest in this claim, no payments have been made on the claim, no third party is liable on this debt, the sum claimed is justly owing, and there is no set-off. I declare, under penalty of perjury, that all of the statements made in this Proof of Claim Form and all documents attached to this form are true, complete, and correct.

Print Name of Claimant or Authorized Agent

Signature of Claimant or Authorized Agent

Title

Sworn to and subscribed before me this _____ day of _____, 2022

Notary Public Signature

NOTE: ATTACH DOCUMENTATION TO SUPPORT YOUR CLAIM.

EXHIBIT 3
Claims and Appeals Procedure and Instructions

PHYSICIANS INDEMNITY RISK RETENTION GROUP, INC.
RECEIVERSHIP CLAIMS AND APPEALS
PROCEDURE AND INSTRUCTIONS

Proofs of Claim (“POC”)

1. Claims must be submitted to the Special Deputy Receiver (“SDR”) on or before the Claims Filing Deadline of **December 1, 2022**, or else will be forever barred from sharing in the assets of the receivership estate of Physicians Indemnity Risk Retention Group, Inc. (“PIRRG”). In order for a POC to be considered timely filed, it must be postmarked or delivered to the SDR on or before the **December 1, 2022**, Claims Filing Deadline. Only submissions by mail will be accepted. **Please do not send sensitive information (i.e., HIPAA-protected medical records, tax ID numbers, or otherwise private and/or confidential information) to the SDR by electronic means such as e-mail.** Claims that have not been rendered absolute (*i.e.*, both liquidated in amount and non-contingent) on or before **December 1, 2022**, may not share in the assets of the estate (subject to any exceptions found in NRS 696B.450, which will be in the Receiver’s sole discretion to determine). Failure to complete the POC Form according to the instructions may cause your claim to be delayed or disallowed.
2. If you have a policy claim and it has previously been reported to PIRRG or a third-party claims administrator for PIRRG, please note this on the POC Form and provide any reference numbers previously assigned to your claim.
3. All claims submitted to the SDR must be accompanied by a signed and notarized POC Form (forms may be requested by email to pirrgpoc@caclo.org or by calling (415) 676-2166). All claims shall set forth in reasonable detail the amount of the claim, or the basis upon which that amount can be ascertained, the facts upon which the claim is based, and the priorities asserted, if any. Claims must be verified by the affidavit of the claimant (or someone authorized to act on behalf of the claimant and having knowledge of the facts) and be supported by the applicable written documentation or proof. **Blank or substantially incomplete POC Forms will not be processed and will be rejected by the SDR.** Claimants may request a status update on their claim by contacting the SDR at any time, but should not make duplicate claim submissions as doing so wastes the assets of the estate (and the SDR reserves the right to apply an offset of cost to recoup the processing cost for duplicate submissions).
4. The SDR will review each claim received and assign it a priority classification as provided by NRS 696B.420. The SDR is not required to process any claims in a class until it appears that assets will be available for distribution to that class. If there are insufficient assets to process claims for a class, the SDR shall notify the court and may make a recommendation to the court for the processing of any such claims.
5. After the last date for filing a claim (**December 1, 2022**), as directed by the court and subject to the above provisions herein, the SDR shall determine whether to approve or deny, in whole or in part, each claim filed with the SDR pursuant to this procedure and shall mail, by first-class mail, postage prepaid, to each claimant that filed a claim with the SDR, written notice of the determination regarding the claim. The notice of claim determination will inform the claimant of when the claimant’s appeal must be sent to the SDR. The procedure for appeal is described further below.
6. The SDR shall submit to the court a report of each claim approved in whole or in part.

Receivership Appeal Procedure (“RAP”)

*This appeal procedure applies to those who have filed a POC against the PIRRG estate. Others may utilize this RAP to appeal decisions of the Receiver concerning non-claim matters if the decision may affect a financial interest, contract right, or legal entitlement of the person making the appeal. Appeals of any kind must be **received by the SDR within sixty (60) days of the determination that is being appealed, or the determination will be final.** Any questions about appeal deadlines should be directed to the SDR using one of the methods of contact listed below. Please refer to the following paragraphs to file an appeal.*

7. Not more than sixty (60) days after the later of the mailing of the written notice of claim determination, or of any report to the court concerning a claim determination, a person may file with the SDR an objection to the determination of the SDR on the claim that is the subject of the mailed “written notice” or the “report” to the court. To be timely, the appeal must be received by the SDR on or before the appeal due date. This applies to any written determination of the SDR.
8. Failure to file a timely appeal of a determination with the SDR will waive any right of the claimant to pursue his, her, or its claim against PIRRG, and the SDR’s determination will become final and non-appealable.
9. Appeals should be submitted using the Appeal Form enclosed herewith or found at www.rsgca.org. An appeal should, at a minimum, include a brief explanation, clearly reference the determination or matter that is being appealed (including any applicable claim reference numbers), and state the claimant’s desired outcome. Appeals must be in writing and should be sent by mail to the SDR at the address below. A method that allows for tracking (U.S. Certified Mail, Fedex, UPS, etc.) is recommended, but not required.
10. If an appeal is timely filed following the requirements of this RAP, the SDR will work to resolve the appeal based upon information submitted. The SDR will submit to the court a report on the determination of the SDR on each claim to which an unresolved appeal has been filed. The court shall fix a time for a hearing on such claims and shall direct the SDR to give notice of the hearing. The notice provided by the SDR must:
 - a. Be sent to the claimant by first-class U.S. mail, postage prepaid, not more than thirty (30) days and not less than ten (10) days before the hearing, on any claim to which an objection has been filed; and
 - b. Specify the time and place of the hearing.
11. A hearing may be conducted by the court or by a master or referee appointed by the court. If a hearing is conducted by a master or referee, the master or referee shall submit findings of fact and recommendations to the court. The court shall enter an order approving or denying, in whole or in part, a claim filed against an insurer. Any such order is an appealable order.
 - a. An order by the trial court may be appealable to the Supreme Court of Nevada in accordance with Nevada Supreme Court Rules.
 - b. An order by the trial court that is not timely appealed to the Supreme Court of Nevada is deemed “final.”

Submit POC Forms, appeals, and other PIRRG related correspondence by mailing to the SDR:

Regulatory Services Group, Attention: PIRRG SDR
P.O. Box 26894
San Francisco, CA 94126

Direct all questions, comments, or concerns regarding policy claims or appeals to:

Email: pirrgpoc@caclo.org

Telephone: (415) 676-2166

FILED
Electronically
CV20-00496
2022-04-22 03:49:19 PM
Alicia L. Lerud
Clerk of the Court
Transaction # 9013204 : csulezic

EXHIBIT 4
Appeal Form

Explanation of Appeal: You must include a brief explanation, clearly reference the determination or matter that is being appealed (including any applicable claim reference numbers and the date(s) that the determination(s) were made) and state your desired outcome of this appeal.

State of _____ §
County of _____ §

Unless noted herein, I alone am entitled to file this appeal, no others have an interest in this claim, no payments have been made on the claim, no third party is liable on this debt, the sum claimed is justly owing, and there is no set-off. I declare, under penalty of perjury, that all of the statements made in this Appeal and all documents submitted in support of this Appeal are true, complete, and correct.

Print Name of Claimant or Authorized Agent

Signature of Claimant or Authorized Agent

Title

Sworn to and subscribed before me this _____ day of _____, 2022

Notary Public Signature

NOTE: ATTACH DOCUMENTATION TO SUPPORT YOUR CLAIM.
Please check with the SDR before sending any large mailings to prevent duplicate document submissions and conserve the assets of the estate. Do not re-submit documents that were previously submitted with a Proof of Claim.

FILED
Electronically
CV20-00496
2022-04-22 03:49:19 PM
Alicia L. Lerud
Clerk of the Court
Transaction # 9013204 : csulezic

EXHIBIT 5
Notice for Publication

**IMPORTANT NOTICE OF LIQUIDATION AND CLAIMS FILING DEADLINE
TO ALL PERSONS INTERESTED IN THE AFFAIRS OF
PHYSICIANS INDEMNITY RISK RETENTION GROUP, INC. (“PIRRG”)**

This notice provides important information regarding the liquidation of PIRRG. On March 29, 2022, PIRRG was placed into permanent receivership by the Second Judicial District Court of the State of Nevada (the “Receivership Court”). Barbara D. Richardson, the Nevada Commissioner of Insurance, is the Receiver of PIRRG and Regulatory Services Group is the appointed Special Deputy Receiver (“SDR”) of PIRRG. On March 29, 2022, the Receivership Court entered an Order Placing PIRRG into Liquidation (the “Liquidation Order”). On _____ the Receivership Court entered its Order Setting Claims Filing Deadline for PIRRG and Related Relief (the “Claims Order”). The Liquidation Order directs the Receiver to liquidate and wind down the affairs of PIRRG. Copies of the Liquidation Order and Claims Order can be accessed at www.rsgca.org by clicking on the Physicians Indemnity Risk Retention Group, in Liquidation link.

The Claims Order approves a process for filing claims against PIRRG and establishes **December 1, 2022**, as the **Claims Filing Deadline** for the submission of such claims. All claims against PIRRG will be handled as claims against the PIRRG receivership estate, and all proceedings are governed by applicable Nevada law. Claims filed after **December 1, 2022**, will be barred from sharing in any distribution of PIRRG’s assets. Claims that remain contingent and unliquidated after **December 1, 2022**, will also be barred, except to the extent that such claims are protected by NRS 696B.400 and 696B.450. All claims must be submitted on the approved Proof of Claim (“POC”) Form and received by the SDR at the address below. The Claims Order also established an appeal procedure. The Receivership Claims and Appeals Procedure, the POC Form, and additional information about the receivership is available at www.rsgca.org. If your PIRRG policy had active tail coverage, please visit www.rsgca.org for information about how the Claim Order may impact your rights. Future notices about receivership matters which could impact your rights will also be made through www.rsgca.org.

You may ask questions about the claim process or request printed copies of receivership notices by calling (415) 676-2166, or by writing to Regulatory Services Group, Attention: PIRRG SDR, P.O. Box 26894, San Francisco, CA 94126. You are responsible for keeping the SDR apprised of any change in your address to assure your receipt of any mailed notices or correspondence.