## THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.		SUPERIOR COURT
IN THE MATTER OF THE WINDING DOWN OF: THE NEW HAMPSHIRE MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION	)	No. 217-2015-CV-00347
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## CERTIFICATE OF COMPLIANCE WITH ORDER OF NOTICE

Roger A. Sevigny, Insurance Commissioner for the State of New Hampshire, as Receiver ("Receiver") of the New Hampshire Medical Malpractice Joint Underwriting Association ("NHMMJUA"), provided notice in accordance with the Order of Notice dated June 9, 2016 as follows:

- 1. The Receiver's Motion for Approval of Assumption Agreement with MedPro (including the Assumption Agreement and its schedules), the supporting affidavit, and the proposed form of approval order were posted on the New Hampshire Insurance Department's website. The posting was completed on June 14, 2016.
- 2. The Order of Notice and the Notice of Hearing were posted on the New Hampshire Insurance Department's website. The posting was made on June 10, 2016.
- 3. The Order of Notice and Notice of Hearing were posted on the NHMMJUA's website. The posting was made on June 15, 2016.
- 4. The Notice of Hearing was mailed by first class mail by The Hays Group, Inc. ("Hays") to (i) the NHMMJUA's historic policyholders using the most recent addresses available

from all the NHMMJUA's electronic records and the mailing list provided by Nixon Peabody's consultant that was used in connection with the prior surplus distribution, (ii) the NHMMJUA's in-force policyholders as of January 31, 2016 at the most recent addresses available from the NHMMJUA's electronic records, (iii) claimants, or their counsel, with pending claims against NHMMJUA insureds at addresses obtained from personnel who handle claims for the NHMMJUA, and (iv) annuitants at available addresses obtained from annuity insurers or on-line research tools (the NHMMJUA's records did not include addresses for the annuitants). The Notice of Hearing was also mailed to agents and brokers for policyholders at the most recent addresses available from the NHMMJUA's records at Hays. A total of 8,728 Notices of Hearing were mailed on June 17, 2016. A copy of the Post Office receipt is attached as Exhibit 1.

- 5. The Notice of Hearing was published in the Concord Monitor and the Union Leader on June 14, 2016 and June 21, 2016. Copies of the proofs of publication are attached as Exhibits 2 and 3.
- 6. The Notice of Hearing was also emailed to representatives of the New Hampshire Hospital Association and the New Hampshire Medical Society on June 16, 2016. The representative of the New Hampshire Medical Society advised that the Society would provide a link for its members in its weekly eNews.
- 7. As of July 13, 2016, 1,889 of the 8,728 mailed Notice of Hearing had been returned as undeliverable.

Respectfully submitted,

ROGER A. SEVIGNY, INSURANCE COMMISSIONER OF THE STATE OF NEW HAMPSHIRE, SOLELY AS RECEIVER OF THE NEW HAMPSHIRE MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

By his attorneys,

JOSEPH A. FOSTER ATTORNEY GENERAL

J. Christopher Marshall, NH Bar No. 1619 Civil Bureau New Hampshire Department of Justice 33 Capitol Street Concord, NH 03301-6397 <a href="marshall@doj.nh.gov">christopher.marshall@doj.nh.gov</a> (603) 271-3650

J. David Leslie, NH Bar No. 16859

dleslie@rackemann.com

Eric A. Smith, NH Bar No. 16952

esmith@rackemann.com

Rackemann, Sawyer & Brewster P.C.

160 Federal Street Boston, MA 02110

(617) 542-2300

July 29, 2016

## **Certificate of Service**

I hereby certify that a copy of the foregoing Certificate of Compliance with Order of Notice was sent this 29th day of July, 2016, by first class mail, postage prepaid to all persons on the attached service list.

Eric A. Smith

NH Bar ID No. 16952

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## THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.	SUPERIOR COURT
IN THE MATTER OF THE WINDING DOWN OF: THE NEW HAMPSHIRE MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION	) ) No. 217-2015-CV-00347 ) )

# **SERVICE LIST**

Kevin M. Fitzgerald, Esq. Gordon J. MacDonald, Esq. W. Scott O'Connell, Esq. Nixon Peabody LLP 900 Elm Street, 14<sup>th</sup> Floor Manchester, NH 03101-2031

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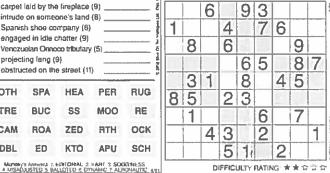
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## PUBLIC NOTICE

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# **UNION LEADER CORPORATION**

P O BOX 9513 MANCHESTER, NH 03108

> 0000114992 **LEGAL PREPAID ACCOUNTS MANCHESTER NH 03109**

I hereby certify that the legal notice: (0001871550) MED PRO APPROVAL MOTION was published in the New Hampshire Union Leader 06/14/2016, 06/21/2016.

State of New Hampshire Hillsborough County

Subscribed and sworn to before me this



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### Legal Notice

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