

STATE OF SOUTH CAROLINA**IN THE COURT OF COMMON PLEAS****COUNTY OF RICHLAND****FOR THE FIFTH JUDICIAL CIRCUIT**Michael Wise, as Director of the South
Carolina Department of Insurance,

C.A. No. 2017-CP-40-05195

Petitioner,

**ORDER APPROVING
TENTH CLAIMS REPORT
& RECOMMENDATION
OF LIQUIDATOR**

vs.

Oceanus Insurance Company, a Risk
Retention Group,

Respondent.

1. This matter comes before the Court pursuant to the Liquidator's Tenth Claims Report, Recommendation & Application for Order Approving Same ("the Application") filed in accordance with S.C. Code Ann. § 38-27-620 (2015). Attached as Exhibit A to the Application is a schedule containing the names and addresses of claimants holding a Class 2 claim as defined by S.C. Code Ann. § 38-27-610(2) (2015), and recommended amounts to be paid on each claim. Attached as Exhibit B to the Application is a schedule containing names and addresses of claimants holding a claim with a priority subordinate to Class 2, their Proof of Claim number, and class code. Also attached as Exhibit C to the Application is a schedule containing the names and addresses of claimants holding a Class 2 claim, and the revised valuation of the claim. Also attached to the Application as Exhibit D is a detailed Affidavit of the duly-appointed Special Deputy Liquidator filed in support of the Application. It is appearing that the Recommendation is in the interests of these claimants and other creditors in this matter, the Application is hereby approved.

2. **IT IS THEREFORE ORDERED** that pursuant to S.C. Code Ann. §§ 38-27-10 et seq., the Tenth Claims Report and Recommendation is APPROVED.

IT IS FURTHER ORDERED that if any additional factors hereafter come to the attention of the Liquidator or his Special Deputy that may require modification, the Liquidator shall promptly file an application to modify these claims or the Recommendation thereon.

AND IT IS SO ORDERED.

_____, 2025
Columbia, South Carolina

Daniel Coble
Chief Administrative Judge
Fifth Judicial Circuit



Richland Common Pleas

Case Caption: Raymond G Farmer , plaintiff, et al vs Oceanus Insurance Company

Case Number: 2017CP4005195

Type: Order/Other

So Ordered

s/ Daniel Coble, 2774

**STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND**

Michael Wise, as Director of the South
Carolina Department of Insurance,

Petitioner,

vs.

Oceanus Insurance Company, a Risk
Retention Group,

Respondent.

**IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT**

C.A. No. 2017-CP-40-05195

**LIQUIDATOR'S TENTH CLAIMS
REPORT, RECOMMENDATION
& APPLICATION FOR ORDER
APPROVING SAME**

Comes now Petitioner Michael Wise, as Liquidator of the above-captioned insurance company (Oceanus), by and through the undersigned counsel and files herewith his Tenth Claims Report, applies to the Court for an Order approving the Liquidator's undisputed claim determinations specified herein and recommends approval thereof.

This application is made pursuant to the South Carolina Insurers Rehabilitation and Liquidation Act, S.C. Code Ann. §§ 38-27-10 *et seq.*, specifically, S.C. Code Ann. § 38-27-620(a) (2015), wherein the Liquidator is required to review all claims duly filed in the liquidation proceedings, make such further investigation as he deems necessary, and submit a claims report to the Court containing his claim recommendations.

In support of his report, recommendation and application, the Liquidator would respectfully show the following:

1. On September 21, 2017, the Court entered an Order Commencing Liquidation Proceedings & Granting an Injunction & Automatic Stay of Proceedings regarding Oceanus.
2. Between the Liquidation Date of September 21, 2017, and March 20, 2018, the Claims Bar Date, the Liquidator issued seven thousand one hundred and sixty-two (7,162) Notices

of Liquidation and Proof of Claim (POC) forms, with instructions to policyholders, third-party claimants and other potential claimants and/or creditors of Oceanus.

3. For five (5) consecutive days commencing October 27, 2017, notice of the liquidation was published in the New York Times, a newspaper of nationwide circulation, informing interested parties of the liquidation proceedings and including contact information and instructions for the timely filing of a POC.

4. For two (2) consecutive days commencing October 22, 2017, notice of the liquidation was published in the Miami Herald, a newspaper of countywide circulation in Miami-Dade, Broward, and Monroe Counties, informing interested parties of the liquidation proceedings and including contact information and instructions for the timely filing of a claim.

5. On or before the Bar Date of March 20, 2018, the Liquidator received one thousand four hundred and four (1,404) timely-filed POCs. The Liquidator also received fifty-three (53) late-filed claims, sixteen (16) of which have now been deemed timely filed, with the remaining thirty-seven (37) pending review.

6. One thousand and thirty-five (1,035) claims have previously been adjudicated and submitted to the Court for approval, with such approval granted by orders entered:

- June 26, 2019
- February 21, 2020
- October 29, 2020
- May 24, 2022
- September 13, 2023
- April 10, 2024
- August 7, 2024

- January 22, 2025
- May 16, 2025

7. Forty-eight (48) additional POC's have now been adjudicated. All remaining POCs received are presently under evaluation.

8. Attached as Exhibit A and incorporated herein is a Schedule listing the names and addresses of forty-four (44) claimants holding a Class 2 claim as defined by S.C. Code Ann. § 38-27-610(2) (2015), the POC number assigned by the Liquidator, the original claim amount, and the valuation of the claim proposed by the Liquidator and as agreed to by the claimant.

9. Attached as Exhibit B and incorporated herein is a Schedule listing the names and addresses of two (2) claimants holding a class subordinate to Class 2 as defined by S.C. Code Ann. § 38-27-610 (2015). Exhibit B also includes the number assigned to each Proof of Claim and the priority class as defined by S.C. Code Ann. § 38-27-610 (2015). These claims were adjudicated as to priority class only, as the Liquidator presently expects distributions to Class 2 to be less than 100 percent.

10. Attached as Exhibit C is the Liquidator's revised recommendation for two (2) claims previously submitted in the Third Claims Report and approved by the Court October 29, 2020. This Exhibit C incorporates the listing of names and addresses of two (2) claimants holding a Class 2 claim as defined by S.C. Code Ann. 38-27-610(2) (2015), the POC number assigned by the Liquidator, the original Court allowed amount, payments received by the claimant, if any, and the revised valuation of the claim by the Liquidator.

11. In further support of this report, recommendation and application, the Liquidator has attached as Exhibit D, the affidavit of Michael J. FitzGibbons, Special Deputy Liquidator.

WHEREFORE, the Liquidator prays the Court issue an Order approving this Tenth Claims Report and Recommendation, as well as such other relief as the Court deems just and proper.

Respectfully submitted,

HAYNSWORTH SINKLER BOYD, P.A.

s/John C. Bruton, Jr.

John C. Bruton, Jr., Esq. (SC Bar No. 975)

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Attorneys for Special Deputy Liquidator

September 2, 2025

Oceanus Insurance Company, a RRG in Liquidation
Tenth Claims Report
Exhibit A

POC	Claimant	Contact	Contact II	Address	City	State	Zip	Class Code	Claim Amount	LIQUIDATOR'S RECOMMENDED AMOUNT
1000562-A	D.D.I.S., PC	Mark Gelfand		560 S Broadway	Hicksville	NY	11801	2	unstated	0.00
1001423	Y.N., MD	William Spratt, Esq	Shaub Ahmuty Citrin & Spratt LLP	1983 Marcus Ave.	Lake Success	NY	11042	2	unstated	0.00
1001416	M.H.S.	Maxon R Davis/Tyler C Smith	Davis,Hatley,Haffeman & Tighe, P.C.	101 River Drive North Suite 300	Great Falls	MT	59401	2	140,574.57	140,574.57
1001354	B.L., MD	Lance Freije	Smolen Law	611 S. Detroit Avenue	Tulsa	OK	74120	2	unstated	0.00
1001353	ERMDS, LLC & The Estate of Dr. I.D.	Jay P Adams	Hudson, Potts & Bernstein LLP	1800 Hudson Lane Ste 300	Monroe	LA	71201	2	unstated	0.00
1001352	P.J.V., CRNA	Lance Freije	Smolen Law	611 S. Detroit Ave.	Tulsa	OK	74120	2	unstated	0.00
1001350	H.R., CRNA	Lance Freije		611 S. Detroit Ave	Tulsa	OK	74120	2	unstated	0.00
1001318	O.A-B., MD		Weinberg Wheeler Hudgins Gunn Dial	3344 Peachtree Rd, NE Suite 2400	Atlanta	GA	30326	2	unstated	0.00
1001317	O.A-B., MD		Weinberg Wheeler Hudgins Gunn Dial	3344 Peachtree Rd, NE Suite 2400	Atlanta	GA	30326	2	unstated	0.00
1001304	S.	James V. Hatem	Nixon Peabody, LLP	900 Elm Street, Suite 1400	Manchester	NH	3101	2	unstated	0.00
1001287	J.C., a minor, by S.C. mother and J.C., father	E. Drew Britcher, Esq	Britcher, Leone & Sergio, LLC	55 Harristown Road, Suite 305	Glen Rock	NJ	7452	2	10,000,000.00	800,000.00
1001207	M.S.	Ashton Watkins, Esq	Law Office of Ashton Watkins	660 S Figueroa St # 1960	Los Angeles	CA	90017	2	1,000,000.00	5,000.00
1001190	Y.T.	Garry Pogil, Esq	Garry Pogil Attorney at Law	1120 Avenue of the Americas 4th Floor	New York	NY	10036	2	5,000,000.00	20,000.00
1001065	B.D.	Michael Amato, Esq.	Ruskin Moscou Faltischek, P.C.	1425 RXR Plaza East Tower, 15th Floor	Uniondale	NY	11556	2	192,080.44	177,498.50
1000991	R.A.	Paul M. daCosta, Esq	Sarno da Costa D'Aniello Maceri LLC	425 Eagle Rock Ave	Roseland	NJ	7068	2	2,000,000.00	1,000,000.00
1000825	A.R., MD	Phillip Rakhunov, Esq.	Pollack Solomon Duffy LLP	43 W 43rd St. #174	New York	NY	10036	2	2,040,944.78	0.00
1000824	H.F.M.G.	Andrew S Regenbaum, Esq	Feldman Kleidman Coffey Sappe & Regenbaum	995 Main St, PO Box A	Fishkill	NY	12524	2	unstated	0.00
1000814	N.C.	Stacy L. Thompson	Pulvers, Pulvers & Thompson	950 3rd Ave 11th Fl	New York	NY	10022	2	10,000,000.00	0.00
1000768	S.B.C.M.	David Manko	Proskauer	Eleven Times Square	New York	NY	10036	2	unstated	0.00
1000747	E.W.K.	William Spratt, Esq	Shaub Ahmuty Citrin & Spratt LLP	1983 Marcus Ave	Lake Success	NY	11042	2	unstated	0.00
1000736	J.M.S.	John Evans, Esq	Rawles & Henderson LLP	Centre Square West 1500 Market Street 19th Floor	Philadelphia	PA	19102	2	unstated	125,000.00
1000734	M.H., M.D. dba L.C.N.	Daniel Brodersen	O'Conner, Haftel & Angell, PLLC	800 N. Magnolia Ave Ste. 1350	Orlando	FL	32803	2	250,000.00	0.00
1000652	J.J.	John P Valente	The Valente Law Group	2200 Defense Hwy, Ste 304	Crofton	MD	21114	2	300,000.00	25,000.00
1000641	M.L., MD	Marc Lussier, MD		24510 Town Center Dr. Suite 180	Valencia	CA	91355	2	Unstated	0.00
1000588	D.H., DO	ATTN: Timothy Taylor	Emergency Physicians Affiliates	16414 San Pedro Ave. Ste. 525	San Antonio	TX	78232	2	Unstated	0.00
1000587	H.W.	ATTN: Timothy Taylor	Emergency Physicians Affiliates	16414 San Pedro Ave. Ste. 525	San Antonio	TX	78232	2	unstated	0.00
1000567	H.L.	Jeffrey Bloom	Gair Gair Conason	80 Pine St, 34th Fl	New York	NY	10005	2	unstated	0.00
1000561	M.W.	Yuko Ann Nakahara	Martin Clearwater & Bell	220 E 42nd St	New York	NY	10017	2	275,000.00	0.00
1000554	M.U.	Maria Jonas, Esq.	Okun, Oddo & Babat, P.C.	8 West 38th St 10th Fl	New York	NY	10018	2	850,000.00	20,000.00
1000549	M.A.	Ed Schwendemann	Goldberg Segglla	200 Garden City Plaza, Suite 520	Garden City	NY	11530-3203	2	unstated	0.00

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Tenth Claims Report
Exhibit A

POC	Claimant	Contact	Contact II	Address	City	State	Zip	Class Code	Claim Amount	LIQUIDATOR'S RECOMMENDED AMOUNT
1000544 M.B.	Aleksey Feygin, Esq	Mark M. Basicas & Associates, P.C	233 Broadway, Suite 2707	New York	NY	10279	2	10,000,000.00	0.00	
1000520 J.J.M.	Scott Webb	13155 Noel Rd, Ste 800	Dallas	TX	75240	2	unstated	0.00		
1000490 N.R.	Nachman Rosenfeld	180 Briarwood Crossing	Lawrence	NY	11559	2	unstated	0.00		
1000472 A.C., MD			3101 Boardwalk Tower 1, Apt 903A	Atlantic City	NJ	8401	2	unstated	0.00	
1000377 E.B., MD	Thomas Stanziale, Esq	Law Office	304 Main Street	Port Washington	NY	11050	2	1,000,000.00	0.00	
1000372 M.E.	Michael Carlucci, Esq	Collopy & Carlucci	540 Speedwell Avenue	Morris Plains	NJ	7950	2	5,000,000.00	650,000.00	
1000368 I.L.	Elise Langsam, Esq.	217 Broadway	Suite 606	New York	NY	10007	2	10,000,000.00	950,000.00	
1000275 A.S-S.	Edward Goodman, Esq	Simonson, Goodman, Platzer	111 John Street, Suite 1400	New York	NY	10038	2	1,300,000.00	150,000.00	
1000239 R.S.	William Burdo Esq.	Levine & Grossman	114 Old Country Road, #460	Mineola	NY	11501	2	unstated	0.00	
1000178 D.I.A., LLC	John Sandberg, Esq	Sandberg, Phoenix & Von Gontard PC	600 Washington Ave., 15th Floor	St. Louis	MO	63101	2	1,000,000.00	83,439.82	
1000172 R.B.	J. Michael Hays, Esq	J. Michael Hayes	69 Delaware Ave Suite 1111	Buffalo	NY	14202	2	1,000,000.00	10,000.00	
1000139 M.S.	Michael Bottar, Esq	Bottar Law PLLC	7078 E. Genesee St.	Fayetteville	NY	13066	2	1,300,000.00	50,000.00	
1001057 L.I.C.	Michael S. Davis, Esq	Zeichner, Ellman & Krause, LLP	730 Third Avenue	New York	NY	10017	2	Unstated	1,300,000.00	
1001263 M.G.P.	Rachel Gruenberg	Meagher & Meagher	111 Church St	White Plains	NY	10601	2	Unstated	0.00	
									5,506,512.89	

POC	Claimant	Contact	Contact II	Address	City	State	Zip	Class Code	Claim Amount	LIQUIDATOR'S RECOMMENDED AMOUNT
1000777	H.P.&B., LLP	Jay P. Adams	Hudson, Potts & Bernstein LLP	1800 Hudson Lane Ste 300	Monroe	LA	71201	6	9,786.00	N/A
1000344	L.F.T. Ch. 7 Trustee for A.L.	James Bailey III Esq	Butler Snow LLP	6075 Poplar Avenue, Suite 500	Memphis	TN	38119	6	8,418,161.58	N/A

Oceanus Insurance Company, a RRG in Liquidation
Tenth Claims Report
Exhibit C

POC	Claimant	Contact	Contact II	Address	City	State	Zip	Claim Amount	Court Allowed Amount	Court Order	Payments Received from Others	Liquidator's Revised Recommended Amount
1000597	F. Law Trust Account f/b/o S.G. IND and as PR	Daniel Flaherty	Flaherty Law Office	PO Box 1968	Great Falls	MT	59401	850,000.00	0.00	3	N/A	40,000.00
1000675	S.P., admin of the Estate of M.P.	Joel A Glaser	Trolman, Glaser & Lichtman, P.C	747 3rd Ave, 23rd Floor	New York	NY	10017	150,000.00	150,000.00	3	150,000.00	0.00

Exhibit D**STATE OF SOUTH CAROLINA****COUNTY OF RICHLAND**Michael Wise, as Director of the South
Carolina Department of Insurance,

Petitioner,

vs.

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Retention Group,

Respondent.

IN THE COURT OF COMMON PLEAS**FOR THE FIFTH JUDICIAL CIRCUIT**

C.A. No. 2017-CP-40-05195

**AFFIDAVIT OF MICHAEL J.
FITZGIBBONS
IN SUPPORT OF LIQUIDATOR'S
TENTH CLAIMS REPORT,
RECOMMENDATION &
APPLICATION FOR ORDER
APPROVING SAME**

Michael J. FitzGibbons, being first duly sworn, deposes and says as follows:

1. I am the Special Deputy Liquidator of Oceanus Insurance Company, a Risk Retention Group ("Oceanus"). I was appointed to my position by the Liquidator, Raymond G. Farmer, Director of the South Carolina Department of Insurance, which designation was approved by the Court on September 21, 2017.

2. I am over 21 years of age and suffer no legal disability.

3. By virtue of my appointment as Special Deputy Liquidator, I have been actively and personally involved in the liquidation of Oceanus at all times since it was placed into liquidation, including the matters addressed in this Affidavit. My responsibilities as the Special Deputy Liquidator include supervision and oversight of and direct involvement in the liquidation process. I am familiar with the claims process and with the claims that have been filed. Therefore, I have personal knowledge of the matters addressed in this Affidavit.

4. The claims process has included the following components, each and every one of which has been followed:

a. Notice of Oceanus' liquidation was given in accordance with S.C. Code Ann. § 38-

27-410(a) (2015).

- b. In accordance with S.C. Code Ann. § 38-27-410(b) (2015), the notice specified that the last date to file a timely proof of claim with the Liquidator was March 20, 2018. Proofs of claim had to be postmarked no later than 5:00 P.M. Eastern Daylight Time on that date to be considered timely.
- c. The Liquidator's Proof of Claim (POC) forms are in compliance with S.C. Code Ann. § 38-27-550(a) (2015) and provided notice of the liquidation of Oceanus in accordance with S.C. Code Ann. § 38-27-410(b) (2015).
- d. As the duly-appointed Special Deputy Liquidator, I have considered each of the forty-eight (48) POCs subject to this Claims Report, in accordance with the requirements of the South Carolina Insurers Rehabilitation and Liquidation Act, S.C. Code Ann. §§ 38-27-10 *et seq.*
- e. I am administering the claims process. I initially retained as Oceanus employees Tim Morris and Jennifer Arias to assist me in the adjudication of claims under policies for losses incurred. Mr. Morris and Ms. Arias are no longer employees of Oceanus. In their stead, I have engaged Glynloen Consulting and Arp Insurance Law with the responsibility to make recommendations to the Liquidator as to the validity, valuation and priority of each POC. The Liquidator and/or his duly-appointed Special Deputy then independently approves or denies these recommendations, in whole or in part, and submits the same to this Court for approval.
- f. Each POC subject to this Claims Report contains the necessary claim file documentation for the Liquidator's recommendation thereon.

g. To the extent this Claims Report includes claims that were denied in whole or in part, notice of such denial complying with S.C. Code Ann. § 38-27-580(a) (2015) was provided to the affected claimants and either no timely objection was made by the affected claimants, the objection was resolved by mutual agreement, or decided pursuant to the Order Approving Procedures Governing Referee's Participation in Claims Administration.

5. I am submitting this Affidavit in support of the Liquidator's Tenth Claims Report, Recommendation & Application for Order Approving Same ("Report, Recommendation and Application"), which pertains to forty-six (46) Class 2 claims as prescribed by S.C. Code Ann. §§ 38-27-610 & -620 (2015).

6. Between the entry of the Liquidation Order on September 21, 2017, and March 20, 2018, I caused to be issued seven thousand one hundred and sixty-two (7,162) Notices of Liquidation and Proof of Claim (POC) forms, with instructions to policyholders, third-party claimants, and/or other potential claimants and creditors of Oceanus.

7. For five (5) consecutive days commencing October 27, 2017, I caused to be published Notice of the liquidation in the New York Times, a newspaper of nationwide circulation, informing interested parties of the liquidation proceedings and including contact information and instructions for the timely filing of a claim.

8. For two (2) consecutive days commencing October 22, 2017, I caused to be published Notice of the liquidation in the Miami Herald, a newspaper of countywide circulation in Miami-Dade, Broward and Monroe Counties, informing interested parties of the liquidation proceedings and including contact information and instructions for the timely filing of a claim.

9. On or before the Bar Date of March 20, 2018, I received one thousand four hundred

and four (1,404) timely filed POCs, and I received fifty-three (53) late-filed claims. Sixteen (16) of the fifty-three (53) late-filed claims have been deemed timely filed, with thirty-seven (37) pending further review.

10. One thousand and thirty-five (1,035) claims have previously been adjudicated and submitted to this Court for approval, with such approval granted by orders entered on

- June 26, 2019,
- February 21, 2020,
- October 29, 2020,
- May 24, 2022,
- September 13, 2023,
- April 10, 2024,
- August 7, 2024,
- January 22, 2025, and
- May 16, 2025.

11. Forty-eight (48) additional claims have now been adjudicated and are the subject of this application. All remaining unadjudicated POCs are under evaluation.

12. Attached to the Report, Recommendation and Application and incorporated by reference as Exhibit A is a listing of the names and addresses of forty-four (44) claimants with Class 2 claims as defined in S.C. Code Ann. § 38-27-610(2) (2015), the POC number assigned, the original claim amount, and the Liquidator's valuation and recommendation pursuant to S.C. Code Ann. § 38-27-620 (2015).

13. Attached as Exhibit B and incorporated herein is a Schedule listing the names and addresses of two (2) claimants holding a class subordinate to Class 2 as defined by S.C. Code

Ann. § 38-27-610 (2015). Exhibit B also includes the number assigned to each Proof of Claim and the priority class as defined by S.C. Code Ann. § 38-27-610 (2015). These claims were adjudicated as to priority class only, as distributions to Class 2 claimants are expected to be less than 100 percent.

14. Also attached to this Application and incorporated by reference is Exhibit C, which is a Schedule listing the names and addresses of two (2) claimants holding a class 2 claim as defined by S.C. Code Ann. § 38-27-610(2) (2015), the POC number assigned by the Liquidator, the original Court allowed amount, payments received by the claimant, if any, and the revised valuation of the claim by the Liquidator.

15. To the best of my knowledge and belief, the claims and recommendations thereon subject to this Report and Application are not subject to modification. If any additional factors hereafter come to my attention which may require any modification, such as third-party payments or releases of any such claims, I will immediately notify the Liquidator, and he and/or I will promptly bring those matters to the attention of this Court in an amendment to modify such claims and recommendation.

FURTHER AFFIANT SAYETH NOT.



Michael J. FitzGibbons
Special Deputy Liquidator

SWORN to before me this 2nd day of September, 2025

Sarah E. Alexander
Notary Public for the State of Arizona
My commission expires 09/15/2026



SARAH E. ALEXANDER
Notary Public - Arizona
Maricopa Co. / #633463
Expires 09/15/2026