

STATE OF SOUTH DAKOTA	)	IN CIRCUIT COURT
	) ss:	
COUNTY OF HUGHES	)	SIXTH JUDICIAL CIRCUIT

STATE OF SOUTH DAKOTA, EX REL.	)	32CIV18-125
LARRY DEITER, DIRECTOR OF)	
INSURANCE OF THE STATE OF SOUTH)	
DAKOTA,)	
Petitioner,	)	APPLICATION NO. 15 FOR
	)	ORDER APPROVING
v.	)	LIQUIDATOR'S SECOND CLAIMS
	)	REPORT & RECOMMENDATION
RELIAMAX SURETY COMPANY,)	
Respondent.)	
)	
)	

COMES NOW Larry Deiter, Liquidator ("the Liquidator") of ReliaMax Surety Company ("ReliaMax"), and hereby applies to the Court for an Order approving the Liquidator's Second Claims Report and recommendation to allow payment of distributions for uncontested claims as follows:

1. This application is made pursuant to SDCL 58-29B-125, 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 ("Second Claims Report") to the Court containing his claims recommendations.
2. Between the entry of the Order of Liquidation on June 27, 2018 and the Claims Bar Date on December 31, 2018, the latter being the Claims Bar Date, the Liquidator issued approximately 15,057 Notices of Liquidation and Proof of Claim ("POC") forms, with instructions to policyholders, third-party claimants, and other potential claimants and/or creditors of ReliaMax.
3. Starting on July 7, 2018, notice of the liquidation was published throughout the country and State of South Dakota informing interested parties of the liquidation proceedings and including contact information and instructions for the timely filing of a claim.
4. On or before the Bar Date of December 31, 2018, the Liquidator received 1,774 timely-filed POCs. Included therein, the Liquidator also received 3 late-filed claims, which these 3 claims are pending review. Throughout the Liquidator's review of the filed POCs,

certain POCs have been compounded or split based on the claim asserted, resulting in a total of 1,820 POCs received.

5. 1,212 Class 3 claims have now been completely adjudicated pursuant to SDCL Ch. 58-29B and approved by the Court in its Order regarding the First Claims Report in the Liquidator's Application No. 13 ("First Claims Report"). At the time the Order was approved for Application No. 13, 96 remaining Class 3 POCs for insured losses were under further evaluation or in the Procedures Governing Special Referee's Proof of Claim Adjudication process. The 96 remaining Class 3 POCs for insured losses did not include Class 3 claims of guaranty associations.
6. 77 Class 3 insured loss claims have now been completely adjudicated pursuant to SDCL Ch. 58-29B. These claims are comprised as follows: 18 Class 3 insured loss claims amended POCs dollar amounts from the First Claims Report; 56 Class 3 denied insured loss claims; and 3 Class 3 insured loss Claims were approved. In addition, 8 Class 3 State Guaranty Associations claims were denied. In total, 85 Class 3 claims were adjudicated.
7. The Liquidator proposes that further applications will be filed to approve the remaining 30 Class 3 claims presently under further evaluation.
8. The remaining subordinate classes of claims, 454 Class 4 claims, 50 Class 6 claims, and 7 Class 8 claims, are yet to be valued. It is the Liquidator's intention to commence the evaluation of Class 4 claims during the second quarter of 2020. Classes subordinate to Class 4 will not be evaluated on their merits, as we anticipate Class 4 claims will exhaust the resources available.
9. Pursuant to SDCL 58-29B-125, attached hereto as Exhibit A and incorporated herein is the Second Claims Report that contains a schedule listing of the names and addresses of these 85 claimants holding a priority Class 3 claim as defined by SDCL 58-29B-124, the POC number assigned by the Liquidator, and the valuation of the claim proposed by the Liquidator.
10. Exhibit A evidences the Liquidator's recommended aggregate claim valuation of \$610,736.37, premiums due ReliaMax from certain of these claimants in the amount of \$22,233.82, recoveries of \$125,977.11, reported by Claimants amending their POC dollar amount, and therefore, the proposed net amount due to these claimants of \$462,525.44.
11. In support of this Application No. 15 for Order Approving the Second Claims Report and Recommendation, the Liquidator has attached the affidavit of Michael J. FitzGibbons, Special Deputy Liquidator as Exhibit B.

12. The Liquidator recommends the proposed net payments as shown in Exhibit A and seeks the Court's approval of the same.

WHEREFORE the Liquidator respectfully requests that the court enter an Order approving the Second Claims Report and recommendation to allow payment of distributions for uncontested claims by the Liquidator as contained in this Application and set forth in Exhibit A of this Application.

Respectfully submitted this 1st day of May 2020.

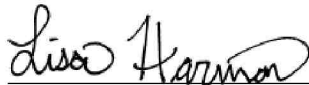


Lisa M. Harmon
Attorney for Liquidator of ReliaMax Surety
124 S. Euclid Avenue, 2nd Floor
Pierre, SD 57501
(605) 773-3563

CERTIFICATE OF SERVICE

The undersigned hereby certifies that copy of the Liquidator's Application No. 15 was served upon ReliaMax Surety Company in Liquidation via regular U.S. Mail, postage prepaid, to the company's mailing address at 3801 W. Technology Circle, Sioux Falls, SD 57106.

Dated this 1st day of May 2020 in Pierre, South Dakota.



Lisa M. Harmon
Attorney for Liquidator of ReliaMax Surety
124 S. Euclid Avenue, 2nd Floor
Pierre, SD 57501
(605) 773-3563

ReliaMax Surety Company in Liquidation
Second Claims Report of Class 3 Claims

Amended POCs

POC No.	Claimant Name	Contact	Address 1	Address 2	City	State	Zip	Liquidator's Recommend ed Value	Premiums Due	Recoveries Reported By Claimant	Net Amount Due to Claimant
100418	Mountain Laurel Federal Credit Union	Rena Sennett	413 S. Michael St., PO Box 193		St. Marys	PA	15857	\$ 58,805.21	\$ -	\$ 58,805.21	\$ -
100419	MIT Federal Credit Union	Nancy Fales	70 Westview Street		Lexington	MA	02421	\$ 201,108.73	\$ -	\$ 24,252.49	\$ 176,856.24
100196	Virginia National Bank	Gina Bayes	PO Box 2853		Charlottesville	VA	22902	\$ 10,873.85	\$ -	\$ 10,873.85	\$ -
100383	Turnstile Capital Management, LLC	Tristan Fleming	Goal Structured Solutions	402 W. Broadway, Suite 2000	San Diego	CA	92101	\$ 10,140.81	\$ -	\$ 10,140.81	\$ -
100197	Virginia National Bank	Gina Bayes	PO Box 2853		Charlottesville	VA	22902	\$ 19,343.94	\$ -	\$ 4,411.68	\$ 14,932.26
100361	Directions Credit Union	Mark W. Sandretto	Eastman & Smith Ltd.	One SeaGate, 24th Floor	Toledo	OH	43604	\$ 74,952.96	\$ 12,382.70	\$ 4,077.79	\$ 58,492.47
101160	MetaBank	Justin G. Smith	Woods, Fuller, Shultz & Smith P.C.	300 S. Phillips Ave., Suite 300	Sioux Falls	SD	57104	\$ 3,704.56	\$ -	\$ 3,704.56	\$ -
100393	Turnstile Capital Management, LLC	Tristan Fleming	Goal Structured Solutions	402 W. Broadway, Suite 2000	San Diego	CA	92101	\$ 3,479.80	\$ -	\$ 3,479.80	\$ -
101073	ACMG Federal Credit Union	Vicki H. O'Neill	1753 Milton Avenue		Solvay	NY	13209	\$ 47,013.29	\$ 928.55	\$ 1,727.49	\$ 44,357.25
101154	MetaBank	Justin G. Smith	Woods, Fuller, Shultz & Smith P.C.	300 S. Phillips Ave., Suite 300	Sioux Falls	SD	57104	\$ 7,263.43	\$ -	\$ 1,439.00	\$ 5,824.43
101155	MetaBank	Justin G. Smith	Woods, Fuller, Shultz & Smith P.C.	300 S. Phillips Ave., Suite 300	Sioux Falls	SD	57104	\$ 60,096.55	\$ -	\$ 1,220.00	\$ 58,876.55
101153	MetaBank	Justin G. Smith	Woods, Fuller, Shultz & Smith P.C.	300 S. Phillips Ave., Suite 300	Sioux Falls	SD	57104	\$ 57,285.58	\$ -	\$ 1,120.00	\$ 56,165.58
101164	MetaBank	Justin G. Smith	Woods, Fuller, Shultz & Smith P.C.	300 S. Phillips Ave., Suite 300	Sioux Falls	SD	57104	\$ 3,943.23	\$ -	\$ 268.13	\$ 3,675.10
100182	Virginia National Bank	Gina Bayes	PO Box 2853		Charlottesville	VA	22902	\$ 3,168.45	\$ -	\$ 182.35	\$ 2,986.10
100391	Turnstile Capital Management, LLC	Tristan Fleming	Goal Structured Solutions	402 W. Broadway, Suite 2000	San Diego	CA	92101	\$ 3,755.24	\$ -	\$ 150.00	\$ 3,605.24
100199	Virginia National Bank	Gina Bayes	PO Box 2853		Charlottesville	VA	22902	\$ 3,815.23	\$ -	\$ 50.00	\$ 3,765.23
100178	Virginia National Bank	Gina Bayes	PO Box 2853		Charlottesville	VA	22902	\$ 7,474.10	\$ -	\$ 41.06	\$ 7,433.04
100151	Bank of Lake Mills	Peter Schleicher	136 E. Madison St		Lake Mills	WI	53551	\$ 9,890.66	\$ 8,922.57	\$ 32.89	\$ 935.20
								\$ 586,115.62	\$ 22,233.82	\$ 125,977.11	\$ 437,904.69

New POCs

POC No.	Claimant Name	Contact	Address 1	Address 2	City	State	Zip	Liquidator's Recommend ed Value	Premiums Due	Recoveries Reported By Claimant	Net Amount Due to Claimant
100010	Alabama Insurance Guaranty Association	Andrea C. Lentine	2020 Canyon Rd., Suite 200		Birmingham	AL	35216	\$ -	\$ -	\$ -	\$ -
100903	Bank of Lake Mills	Peter Schleicher	136 E. Madison St		Lake Mills	WI	53551	\$ -	\$ -	\$ -	\$ -
100904	Bank of Lake Mills	Peter Schleicher	136 E. Madison St		Lake Mills	WI	53551	\$ -	\$ -	\$ -	\$ -
101128	Day Air Credit Union, Inc.	Michael D. Stultz	Meyer & Kerschner, Ltd.	PO Box 400	Tiffin	OH	44883	\$ -	\$ -	\$ -	\$ -
101129	Day Air Credit Union, Inc.	Michael D. Stultz	Meyer & Kerschner, Ltd.	PO Box 400	Tiffin	OH	44883	\$ -	\$ -	\$ -	\$ -
100551	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100554	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100555	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100556	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100557	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -

100558	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100559	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100560	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100561	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100562	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100563	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100564	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100565	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100566	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100567	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100568	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100569	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100570	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100571	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100574	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100575	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100576	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100577	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100578	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100579	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100580	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100581	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100582	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100583	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100584	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100585	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100592	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100596	Educational Services of America, Inc.	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100365	Georgia Insurers Solvency Pool	Michael Marchman, Executive Director	3700 Crestwood Parkway, NW	Suite 400	Duluth	GA	30096	\$ -	\$ -	\$ -	\$ -
100051	Kansas Insurance Guaranty Association	c/o Western Guaranty Fund Services	Chad Anderson	1720 South Bellaire St., Suite 408	Denver	CO	80222	\$ -	\$ -	\$ -	\$ -
100511-B	KeyBank National Association	Goosmann Law Firm, P.C.	Elizabeth M. Lally	17838 Burke St., Suite 250	Omaha	NE	68118	\$ 7,512.35	\$ -	\$ -	\$ 7,512.35
100511-C	KeyBank National Association	Goosmann Law Firm, P.C.	Elizabeth M. Lally	17838 Burke St., Suite 250	Omaha	NE	68118	\$ 7,074.03	\$ -	\$ -	\$ 7,074.03
100511-A	KeyBank National Association	Goosmann Law Firm, P.C.	Elizabeth M. Lally	17838 Burke St., Suite 250	Omaha	NE	68118	\$ -	\$ -	\$ -	\$ -
100511-D	KeyBank National Association	Goosmann Law Firm, P.C.	Elizabeth M. Lally	17838 Burke St., Suite 250	Omaha	NE	68118	\$ -	\$ -	\$ -	\$ -
100511-E	KeyBank National Association	Goosmann Law Firm, P.C.	Elizabeth M. Lally	17838 Burke St., Suite 250	Omaha	NE	68118	\$ -	\$ -	\$ -	\$ -
100511-F	KeyBank National Association	Goosmann Law Firm, P.C.	Elizabeth M. Lally	17838 Burke St., Suite 250	Omaha	NE	68118	\$ -	\$ -	\$ -	\$ -
100941	Liberty Bay Credit Union	Gray Legal Group	Wayne Gray	14 Page Terrace	Stoughton	MA	02072	\$ -	\$ -	\$ -	\$ -
100942	Liberty Bay Credit Union	Gray Legal Group	Wayne Gray	14 Page Terrace	Stoughton	MA	02072	\$ -	\$ -	\$ -	\$ -
100939	Liberty Bay Credit Union FKA Hingham FCU	Gray Legal Group	Wayne Gray	14 Page Terrace	Stoughton	MA	02072	\$ -	\$ -	\$ -	\$ -
100943	Liberty Bay Credit Union FKA Hingham FCU	Gray Legal Group	Wayne Gray	14 Page Terrace	Stoughton	MA	02072	\$ -	\$ -	\$ -	\$ -
101250	Louviers Federal Credit Union	William Searles	185 South Main Street		Newark	NJ	19711	\$ 10,034.37	\$ -	\$ -	\$ 10,034.37
100013	Minnesota Insurance Guaranty Association	Robert Farber, AIC Executive Director	7600 Parklawn Avenue, Suite 460		Edina	MN	55435	\$ -	\$ -	\$ -	\$ -

100029	Property & Casualty Insurance Guaranty Corporation	John R. Spielberger	305 Washington Ave., Suite 600		Towson	MD	21204-4746	\$ -	\$ -	\$ -	\$ -
100011	South Dakota P&C Insurance Guaranty Association	Edward E. Evans, Managing Secretary	101 N. Main Ave., Suite 213	P. O. Box 2790	Sioux Falls	SD	57101-2790	\$ -	\$ -	\$ -	\$ -
100549	Southeast Bank	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100550	Southeast Bank	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100552	Southeast Bank	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100572	Southeast Bank	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100587	Southeast Bank	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100588	Southeast Bank	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100589	Southeast Bank	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100590	Southeast Bank	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100591	Southeast Bank	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100594	Southeast Bank	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100595	Southeast Bank	Nixon Peabody, LLP	James V. Hatem	900 Elm Street	Machester	NH	03101	\$ -	\$ -	\$ -	\$ -
100068	Tennessee Insurance Guaranty Association	W. David Broemel	3100 West End Ave., Suite 670		Nashville	TN	37203	\$ -	\$ -	\$ -	\$ -
100059	Utah Property and Casualty Insurance Guaranty Assn.	Allen Muhlestein	PO Box 1608		Sandy	UT	84091-1608	\$ -	\$ -	\$ -	\$ -

\$ 24,620.75 \$ - \$ - \$ 24,620.75

Grand Total: \$ 610,736.37 \$ 22,233.82 \$ 125,977.11 \$ 462,525.44

STATE OF SOUTH DAKOTA	)	IN CIRCUIT COURT
	) ss:	
COUNTY OF HUGHES	)	SIXTH JUDICIAL CIRCUIT

STATE OF SOUTH DAKOTA, EX REL.	)	32CIV18-125
LARRY DEITER, DIRECTOR OF)	
INSURANCE OF THE STATE OF SOUTH)	
DAKOTA,	)	AFFIDAVIT OF MICHAEL J.
Petitioner,	)	FITZGIBBONS
	)	IN SUPPORT OF LIQUIDATOR'S
v.	)	APPLICATION NO. 15
)	
RELIAMAX SURETY COMPANY,)	
Respondent.)	
)	
)	

STATE OF ARIZONA)
	) ss:
COUNTY OF MARICOPA)

Michael FitzGibbons, of lawful age and being first duly sworn states as follows:

1. I am the duly appointed Special Deputy Liquidator of ReliaMax Surety Company ("ReliaMax"). Under the general supervision of the Court and the Liquidator, my staff and I oversee the day-to-day operations of ReliaMax to timely and efficiently wind down the ReliaMax liquidation estate. 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.
2. I have reviewed and support the Liquidator's Application No. 15 for Order Approving Liquidator's Second Claims Report & Recommendation ("Application No. 15") and its exhibits that pertains to 85 claimants holding a priority Class 3 claim, as prescribed by SDCL 58-29B-124 to SDCL 58-29B-126. This Affidavit is provided in support of Application 15.
3. The Second Claims Report and recommendation in the Liquidator's Application No. 15 are required for the liquidation of the estate, which the court should approve for the reasons listed below.

The Claims Process

4. The claims process has included the following components, each and every one of which has been followed:
 - a. Notice of ReliaMax's liquidation was given in accordance with SDCL 58-29B-51.
 - b. In accordance with SDCL 58-29B-51, the notice specified that the last date to file a timely proof of claim with the Liquidator was December 31, 2018. Timely proofs of claim must be postmarked no later than 5:00 P.M. Central Standard Time, on such date.
 - c. The Liquidator's Proof of Claim ("POC") forms are in compliance with SDCL 58-29B-106 to 58-29B-110 and provided notice thereof in accordance with SDCL 58-29B-47 to 58-29B-51.
 - d. As the duly-appointed Special Deputy Liquidator, I have considered each and every of the 85 POCs subject to this Second Claims Report, in accordance with the requirements of the SDCL Ch. 58-29B.
 - e. I am administering the POC process. I have employed staff of ReliaMax to assist me in the adjudication of claims under policies for losses incurred. The employed staff 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 the employed staff recommendations in whole or in part and submit the same to this Court for approval.
 - f. Each and every 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 SDCL 58-29B-119 was provided to the affected claimants and either no timely objection was made by the affected claimants or the objection was resolved by mutual agreement.
 - h. All claims disputes have been and will be adjudicated pursuant to the Procedures Governing Special Referee's Proof of Claim Adjudication as approved by the Court in its Order regarding the Liquidator's Application No. 8 process.

**Notice to Policyholders, Third-Party Claimants, and Other
Potential Claimants or Creditors**

5. Between the entry of the Liquidation Order on June 27, 2018 and December 31, 2018, I caused to be issued approximately 15,057 Notices of Liquidation and POC forms, with instructions to policyholders, third-party claimants, and other potential claimants and/or creditors of ReliaMax.
6. Starting on July 7, 2018, I caused to be published Notice of the liquidation in the New York Times, a newspaper of countywide circulation in the United States, informing interested parties of the liquidation proceedings and including contact information and instructions for the timely filing of a claim. Starting on July 27, 2018, I caused to be published notice in the Argus Leader, a newspaper of state circulation in South Dakota, informing interested parties of the liquidation proceedings and including contact information and instructions for the timely filing of a claim.

Completed and Adjudicated Priority Class 3 Proof of Claims

7. On or before the Bar Date of December 31, 2018, the Liquidator received 1771 timely filed POCs, and 3 late-filed POC's, which these 3 claims are pending review. Creating a total of 1774. Throughout my review of the filed POCs, certain POCs have been compounded or split based on the claim asserted, resulting in a total of 1820 POCs received.
8. In addition to the claims adjudicated on the First Claims Report, 85 additional Class 3 claims have now been adjudicated and are the subject of this application. All remaining unadjudicated Class 3 POCs, 30, are under evaluation.
9. Attached to Application No. 15 and incorporated by reference as Exhibit A is a listing of the names and addresses of 85 claimants in this liquidation within priority Class 3 claims as defined in SDCL 58-29B-124, the number assigned to the POC submitted by each of these claimants, and the amount of the claim finally recommended and now proposed as the Liquidator's recommended value pursuant to SDCL 58-29B-125. Actual distributions will be determined and made at the appropriate time in accordance with SDCL 58-29B-126 and SDCL 58-29B-127.
10. To the best of my knowledge and belief, the claims 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 notify the Liquidator, and he and/or I will promptly bring those matters to the attention of this Court in an application to modify such claims.
11. It is my opinion that the Liquidator's Application No. 15 contains an accurate Second Claims Report and distributions should be made in accordance with Exhibit A attached hereto.

Dated this 30th day of April 2020.



Michael J. FitzGibbons, Special Deputy Liquidator
ReliaMax Surety Company, in Liquidation

Subscribed and sworn to before me this 30th day of April 2020.



SARAH E. ALEXANDER
Notary Public - Arizona
Maricopa Co. / #551135
Expires 09/15/2022


Notary Public

My commission expires: 09/15/2022

STATE OF SOUTH DAKOTA

)

IN CIRCUIT COURT

) ss:

COUNTY OF HUGHES

)

SIXTH JUDICIAL CIRCUIT

STATE OF SOUTH DAKOTA, EX REL.
LARRY DEITER, DIRECTOR OF
INSURANCE OF THE STATE OF SOUTH
DAKOTA,

Petitioner,

v.

RELIAMAX SURETY COMPANY,
Respondent.

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32CIV18-125

**ORDER APPROVING LIQUIDATOR'S
SECOND CLAIMS REPORT &
RECOMMENDATION
PURSUANT TO LIQUIDATOR'S
APPLICATION NO. 15**

This matter came for consideration on the application of Larry Deiter, Director of Insurance for South Dakota, acting as Liquidator of ReliaMax Surety Company pursuant to SDCL Ch. 58-29B ("the Liquidator"), for an Order approving the Liquidator's Second Claims Report and recommendation to allow payment of distributions for uncontested claims by the Liquidator as contained in his Application No. 15 For Order Approving Liquidator's Second Claims Report and Recommendation (hereinafter "Application No. 15"). This application was made pursuant to SDCL § 58-29B-125 for this Court's approval of the distributions paid to claimants within the Liquidator's Second Claims Report, pursuant to SDCL 58-9B-126. The Court has reviewed Application No. 15 and its Exhibits.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. The Liquidator's Second Claims Report and recommendation is approved.
2. That no claim, under anything provided in Exhibit A of Liquidators Second Claims Report, may be allowed for an amount in excess of the policy limits.
3. That if any additional factors hereafter come to the attention of the Liquidator or his Special Deputy that may require modification, the Liquidator shall file an application to modify these claims.

DATED this ____ day of _____, 2020, in Pierre, South Dakota.

ATTEST:

BY THE COURT:

The Honorable Bobbi Rank
Sixth Circuit Court Judge