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COMMERCE & INSURANCE
COMMISSIONER'S OFFICE

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JENNIFER L. MILAM

OF COUNSEL:
DAVID L. STEED
REBECCA WELLS DEMAREE

January 31, 2011

The Honorable Marie Murphy
Tennessee Department of Commerce & Insurance
500 James Roberts Parkway
Nashville, Tennessee 37243-0565

Re: <u>In re: Montgomery Development & Construction, LLC</u>
Tennessee Department of Commerce and Insurance
Docket No.: 12.28-110076A

Dear Ms. Murphy:

Please find enclosed a Final Agreed Judgment that has been executed by both parties in the above-referenced matter. If the Final Agreed Judgment meets with your approval, we would appreciate you signing and entering the same. I have also enclosed a copy of this document. I would appreciate you date- and time-stamping the copy and returning the same to me in the postage pre-paid, self-addressed envelope also enclosed.

I appreciate your assistance with this request. If you have any questions or need additional information, please do not hesitate to contact me at the office or at (615) 390-6086 (Mobile).

Sincerely,

Ben M. Rose

BMR/jlm
Enclosures

Nashville City Center, Suite 1500, 511 Union Street, P.O. Box 190695, Nashville, TN 37219-0695
P: 615.244.1440 F: 615.254.9477
www.cornelius-collins.com

cc (w/enc): The Honorable Lynn McCormic England (Via E-mail)
Jacquie Fortenberry (Via E-mail and U.S. Mail)
Mr. Eddie Montgomery (Via E-Mail and U.S. Mail)
Ms. Kim Zersen (Via U.S. Mail)

RECEIVED
2011 FEB -3 PM 2:
SECRETARY OF STATE

STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
Policy Analysis Section
Workers Compensation Unit

Inter-office Memorandum

To: The Honorable Judge Lynn England

From: Mike Shinnick, Manager

Date: February 3, 2011

Reference: Montgomery Development & Construction, LLC (Final Agreed Judgement)

Enclosed, please find a copy of the "Final Agreed Judgment" executed by all parties, including Marie Murphy. Please have someone in your office time and date stamp this document and return a copy to Ben Rose, as requested. Marie felt it was important to stamp it the day she signed the order.

Please let me know if you have any questions.

RECEIVED
2011 FEB -3 PM 2:18
SECRETARY OF STATE

BEFORE THE DEPARTMENT OF COMMERCE AND INSURANCE
FOR THE STATE OF TENNESSEE

IN THE MATTER OF:	)	
	)	**Doc. No.: 12.28-110076a**
MONTGOMERY DEVELOPMENT &	)	
CONSTRUCTION, LLC, and AMERICAN	)	**WC Appeal – Insurance**
ZURICH INSURANCE COMPANY	)	

FINAL AGREED JUDGMENT

This cause came on for a hearing on December 20, 2010, at 9:00 A.M., before the Honorable Lynn England, Administrative Law Judge, and the Commissioner's Designee, Marie Murphy, at which time it was announced to the Court that the parties had reached the following agreement in this matter:

Judgment shall enter in favor of American Zurich Insurance Company ("Zurich") and against Montgomery Development & Construction, LLC ("Montgomery Development"), in the amount of $ 21,154.00, together with post-judgment interest, with regard to the Workers' Compensation and Employers Liability Policies (Policy Numbers 9920L410 and 4208P069) for insurance coverage from 11/6/08 to 8/16/09 and 5/1/10 to 7/21/10.

Costs of this appeal are taxed against Montgomery Development, for which execution may issue, if necessary.

The Court is pleased that the parties have reached the foregoing agreement and enters the same as the Court's Order.

IT IS SO ORDERED.

ENTER: this 3rd day of ~~January~~ February, 2011.

Marie Murphy
THE HONORABLE MARIE MURPHY,
COMMISSIONER'S DESIGNEE

AGREED AND APPROVED:

Ben M. Rose (#21254)
J. Matthew Blackburn (#27105)
CORNELIUS & COLLINS, LLP
Suite 1500, Nashville City Center
511 Union Street
Post Office Box 190695
Nashville, Tennessee 37219
(615) 244-1440

Attorneys for American Zurich Insurance Company

Mr. Eddie Montgomery

Its: Manager

Montgomery Development & Construction, LLC
1803 Old Berlin Road
Lewisburg, Tennessee 37091

CERTIFICATE OF SERVICE

I do hereby certify that a true and exact copy of the foregoing has been sent by e-mail and/or U.S. Mail, postage prepaid, to the following on this 31st day of January 2011:

Mr. Eddie Montgomery
Montgomery Development & Construction, LLC
1803 Old Berlin Road
Lewisburg, Tennessee 37091

Via E-Mail and U.S. Mail

Ms. Jacquie Fortenberry
Department of Commerce and Insurance
Insurance Division - Actuarial Services Section
4th Floor, 500 James Robertson Parkway
Nashville, Tennessee 37243-1133

Via E-Mail and U.S. Mail

Ms. Kim Zersen,
Assistant Vice President
Aon Risk Services
11213 Davenport Street, Suite 201
Omaha, Nebraska 68154-2604

Via U.S. Mail Only

Ben M. Rose