

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF FLORIDA  
Miami Division

Case Number: 04-60573-CIV-MORENO

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

MUTUAL BENEFITS CORP., et al.,

Defendants,

VIATICAL BENEFACTORS, LLC, et al.,

Relief Defendants.

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**ORDER GRANTING RECEIVER'S MOTION TO JOIN ADDITIONAL INSURERS IN  
ORDER AND ESTABLISH PROCEDURE FOR JOINING ADDITIONAL INSURERS**

On September 20, 2007 the Court conducted a hearing on the *Receiver's Motion to Join Additional Insurers in Order Approving Settlement Regarding Future Administration of Certain Insurance Policies Subject to this Proceeding and Bar Order, and to Establish Procedure for Joining Additional Insurers* (D.E. No. 1955), filed by Roberto Martínez, the court-appointed receiver (the "Receiver") of Mutual Benefits Corporation ("MBC"), Viatical Benefactors, LLC ("VBLLC"), Viatical Services, Inc. and, solely in their capacity as trustee, Anthony Livoti, Jr., P.A. and Anthony Livoti, Jr. (collectively, the "Receivership Entities"). The Court has considered the Motion, the record in this case, relevant authorities, and the representations of counsel, including the confirmation by counsel for the "Joining Insurers" of their agreement to the terms of the settlement

reflected in the Court's *Order Regarding Future Administration of Certain Insurance Policies Subject to this Proceeding* entered on May 1, 2007 (D.E. #1887) (the "Administration Order").

Being duly advised, the Court finds good cause to grant the relief requested. Accordingly, it is

**ORDERED** as follows:

1. The agreement among the Receiver and the Joining Insurers identified below that the terms and procedures of the Court's Administration Order should apply to the Joining Insurers is hereby approved.

2. All investors with interests in the Policies (as defined in the Administration Order) issued by the Joining Insurers shall have a **twenty (20) day** period within which to make any objections to this Order. Notice shall be served by mailing (or, for investors with foreign addresses, by using a reliable commercial delivery service) copies of this Court's order providing such relief together with a copies of the Administration Order, upon the entry of an order granting this motion. The identities and addresses of investors in and other beneficiaries of the Policies used for this purpose shall be those reflected in books and records that the Receiver and Receivership Entities maintain, and the Receiver and the Joining Insurers shall cooperate with respect to identifying the identity of the investors to be served with notice. The Joining Insurers shall be responsible for the cost of providing such notice to the investors. Absent any further ruling by this Court on any such objections, the terms of this Order and the Administration Order shall be deemed to be effective as to all Policies issued by the Joining Insurers.

3. For purposes of this Order, the "Joining Insurers" are:

**Genworth Financial Group:**

First Colony Life Insurance Company  
Federal Home Life Insurance Company

The Life Insurance Company of Virginia  
Combined Insurance Company of America  
Genworth Life and Annuity Insurance Company

**Americo Financial Life and Annuity Insurance Company Group:**

Great Southern Life Insurance Company  
The College Life Insurance Company of America (n/k/a Americo Financial Life and  
Annuity Insurance Company)  
Ohio State Life Insurance Company

4. For any additional insurers who advise the Receiver that they agree to the terms and procedures contained in the Administration Order, the terms of the Administration Order shall apply to such insurers without further order upon: (1) the additional insurers confirming their agreement to the terms and procedures of the Administration Order; (2) the additional insurers assuming the cost of any mailing of the Administration Order to the investors in policies issued or administered by such insurers; (3) investors in Policies issued or administered by such insurers being provided **twenty (20) days'** notice of such proposed joinder (with the cost thereof to be borne by the insurer); and (4) the filing with this Court of a "Notice of Joinder in Administration Order" identifying such additional joining insurers.

**DONE AND ORDERED** in the Southern District of Florida on November 7, 2007.

  
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FEDERICO A. MORENO  
UNITED STATES DISTRICT JUDGE

Copies provided to:

Counsel of Record