

**Filing Deadline:  
January 12, 2009**

## **PROOF OF CLAIM INSTRUCTIONS**

On June 13, 2005, the State Corporation Commission of the Commonwealth of Virginia entered its order approving plans of liquidation (the “Order Approving Plans of Liquidation”) for HOW Insurance Company, a Risk Retention Group (“HOWIC”), Home Owners Warranty Corporation (“HOW”), and Home Warranty Corporation (“HWC”), collectively the “HOW Companies,” which, among other things, authorized the Deputy Receiver to establish a deadline (the “Bar Date”) and procedure for the filing of claims against the HOW Companies. Pursuant to that order, all parties wishing to assert claims against the HOW Companies must complete and return this Proof of Claim form so that it is received by the HOW Companies on or before **January 12, 2009** (the Bar Date). The Proof of Claim form must be received at the address below:

Proof of Claim Department  
HOW Companies, in Receivership  
P.O. Box 1557  
Tucker, Georgia 30085-1557

Unless exempt from the Bar Date as described further below, all claims against the HOW Companies (including contingent or unliquidated claims) must be filed with the Deputy Receiver before the Bar Date by using this Proof of Claim form and by following these instructions. All applicable blanks on the form must be completed. The form must be notarized, include sufficient information, and be accompanied by the necessary supporting documents. Any claim asserting a secured interest must include documentation of the security agreement. Questions regarding claims may be sent to the address indicated above.

You should keep a copy of your Proof of Claim and proof of its timely mailing. If you want proof that your claim was received, you should send your claim via registered or certified mail, return receipt requested, but you must assure that the Proof of Claim is received at the above address by the Bar Date. All claims received after the Bar Date will be precluded from sharing in the assets of the HOW Companies’ estate in any manner until the timely-filed approved claims of all other creditors have been paid in full.

Claims that have previously been approved, resolved, or paid by the Deputy Receiver should **NOT** be re-filed with the Companies. Claims will be deemed to have been “approved” or “resolved” only if they have been approved in writing by the Deputy Receiver, settled pursuant to a written settlement agreement between the Deputy Receiver and the claimant, or adjudicated by a final and binding determination of the State Corporation Commission, Circuit Court of Virginia, Supreme Court of Virginia, or other court of competent jurisdiction.

**Only the following claims are exempt from the final Bar Date and should not be filed with the Deputy Receiver of the HOW Companies:**

1. Claims that have previously been approved, resolved, or paid by the Deputy Receiver as described above. If a percentage of your claim has been previously paid by the HOW Companies, but you believe that additional amounts are still due on the claim, you must still file an affidavit for an increased payment percentage. A copy of the form affidavit may be obtained by writing or calling the HOW Companies;
2. Proper administrative expense claims (*i.e.*, claims for payment of services rendered, or goods supplied, to the HOW Companies at the request of the Deputy Receiver after October 14, 1994);
3. Claims by builders for loss reserve deposits or release of letters of credit; and
4. Claims by builders for a share of the residual assets of the HOW Companies.

As described below, builders seeking the return of capital contributions made to the HOW Companies will be required to file claims for those amounts. However, builders need not submit claims for a share of the residual assets of the HOW Companies, since such distributions will be calculated automatically by the Deputy Receiver's representatives. At present, the amount of residual assets that can be distributed is unknown, and will not be fully known until the end of the liquidation process for the HOW Companies. The manner in which such distributions are calculated is governed by the terms of the Order Approving Plans of Liquidation.

Claims by builders for return of builder capital contributions must be filed before the final Bar Date, and these claims are not exempt from the aforementioned claim Bar Date filing requirements. As described in this notice, late filed claims will be barred from sharing in the assets of the HOW Companies until timely approved claims are fully paid, unless the claims are exempted from the claims Bar Date as explained above. Claims payments made by the Deputy Receiver that cannot be delivered properly and are not claimed before closure of the receivership, will be governed by applicable state laws governing the disposition of unclaimed property.

Each person making the claim must be identified clearly and a separate Proof of Claim form submitted for each person or claim, where practical. If this form is completed on behalf of another person, evidence of the authority to file the claim must be attached. This Proof of Claim form may be duplicated. This form should not be used to assert claims against any entity other than the HOW Companies. Additional information about the receivership of the HOW Companies is available on the Companies' internet web site: [www.howcorp.com](http://www.howcorp.com).