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FILED
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
MAY 17 2004
KENNETH S. GARDNER, CLERK
PS REP. - LS

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:	)	**Chapter 11**
	)	
Conseco Finance Corp.,[1]	)	
	)	**Case No. 02 B49675**
	)	**Honorable Carol A. Doyle**
Debtor.	)	
	)	

CFC POST-CONSUMMATION ESTATE'S OBJECTION TO THE CLAIMS OF JAMES WOODWARD, BRENDA WOODWARD, KEVIN CLARKSON PATRICIA CLARKSON, JOHN LOM AND TINA EVANS

The Post-Consummation Estate (the "CFC Estate") of the Finance Company Debtors, debtors in the above-captioned Chapter 11 Case (the "Case"), submits this Objection (the "Objection") to the claims (the "Woodward Claims") asserted against the Finance Company Debtors by each of James Woodward, Brenda Woodward, Kevin Clarkson, Patricia Clarkson, John Lom and Tina Evans (collectively, the "Woodward Claimants"). In opposition to the Woodward Claims, the CFC Estate respectfully states as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over this Objection pursuant to 28 U.S.C. § 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue of this proceeding and this Objection is properly in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory basis for the relief requested herein is section 502(b)(1) of 11 U.S.C. § 101 et seq. (the "Bankruptcy Code").

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[1] The post consummation estate for Conseco Finance Corp. (the "CFC Estate") is the liquidating trust that holds in trust for distribution to creditors certain assets of the entities referred to as the "Finance Company Debtors" in the Finance Company Debtors' Sixth Amended Joint Liquidating Plan of Reorganization Pursuant to Chapter 11 of the United States Bankruptcy Code (the "Finance Company Debtors' Plan").

BACKGROUND

3. On May 23, 2003, the day after the general claims bar date had passed, the Woodward Claimants each filed their respective proof of claim against the CFC Estate in the amount of $32,760,000.00. The Woodward Claims are designated on the claims register as Claim Nos. 49675-003172 (James Woodward), 49675-003702 (Brenda Woodward), 49675-003173 (Kevin Clarkson), 49675-003431 (Patricia Clarkson), 49675-003174 (John Lom) and 49675-003175 (Tina Evans).

4. On May 27, 2003, the Woodward Claimants filed the *Claimants' Motion for Extension of Time to File Proofs of Claim.*

5. On July 18, 2003, the Finance Company Debtors filed the *Finance Company Debtors' Eighth Omnibus Objection to Claims Asserted Against the Finance Company Debtors* (the "Eighth Omnibus Objection").

6. On August 11, 2003, the Woodward Claimants filed *Claimants James Woodward, et al.'s Memorandum in Support of Motion for Extension of Time to File Proofs of Claim and In Opposition to Debtors' Objection Thereto (Eighth Omnibus Objection).*

7. On August 15, 2003, the Official Committee of Unsecured Creditors of the CFC Debtors (as defined in the Finance Company Debtors' Plan) filed its *Reply of CFC Committee to Claimants' James Woodward et al.'s Memorandum in Support of Motion for Extension of Time to File Proofs of Claim and in Opposition to Debtors' Objection Thereto (Eighth Omnibus Objection).*

8. On September 23, 2003, this Court approved the parties' *Stipulation and Agreed Order Between the Finance Company Debtors and James Woodward et al. Reinstating Claims of James Woodward et al.*

9. On October 27, 2003, this Court approved the parties' *Stipulation and Agreed Order Between the Finance Company Debtors and James Woodward, et al. Applying Finance Company Debtors' Eighth Omnibus Objection to Claims of James Woodward et al. Previously Unlisted in the Eighth Omnibus Objection.*

THE OBJECTION

10. The net effect of the pleadings described above is the following: all of the Woodward Claims remain active claims; all of the Woodward Claims remain subject to the Eighth Omnibus Objection as being late-filed; and the CFC Estate's right to object to all the Woodward Claims on any and all grounds were reserved.

11. The Woodward Claims were filed with the intent, whether individually or together, that they be considered effectively as a class proof of claim, *i.e.*, to represent claims of unnamed claimants in a purported nationwide class action case commenced in the Circuit Court of Waupaca County, Wisconsin (the "Wisconsin Action"), more fully-described in the supplement attached to each of the Woodward Claims. The supplement that was affixed to each of the Woodward Claims is attached hereto as Exhibit A (the "Supplement").

12. In the Supplement, the Woodward Claimants state as follows: "[The Woodward Claimants] are plaintiffs in a certified national class in the Circuit Court of Waupaca County, State of Wisconsin, cause no. 96-CV-153, certification order being dated April 26, 1996 … ."

13. Simply stated, the CFC Estate respectfully submits that the Woodward Claimants' assertion that they represent a certified national class is disingenuous and materially misleading. As detailed in the certification order attached hereto as Exhibit B (the "Certification Order"), the certification of the class was done *ex parte* and approved only on a *conditional* basis. As the Circuit Court stated, "This is a ***conditional certification order***, and accordingly, the court

reserves the right to modify the class definition or otherwise modify this order and to vacate this order." Certification Order, pg. 3 (emphasis supplied).

14. Moreover, review of the transcript from a hearing in the Wisconsin Action on July 1, 1998 (the "1998 Hearing")[2] reveals that over two years after it issued the Certification Order, the Circuit Court agreed with Green Tree Financial Corporation and other related Green Tree entity (now known as Conseco Financial Corp., *et al.*) defendants (the "Defendants") that the conditional class certification order was not based on any consideration of the merits of the class claims, and that the Court needed to conduct a hearing on the issue of class certification before any meaningful class certification order could be considered. See Transcript, Ex. C, at 17:15-20. In fact, at the 1998 Hearing, the Court ordered the plaintiffs parties to file a separate motion for unconditional certification of the class. See id., at 19:14 – 20:6.

15. It is important for this Court to note that the Certification Order in the Wisconsin Action was issued *ex parte*. Many of the defendants had not even been served when the conditional certification was entered. The Defendants' concern regarding this order was succinctly identified by one of Defendants' counsel, who stated:

> I don't see any provision ... or any decision in Wisconsin that permits an *ex parte* class action case to go forward, and certainly [Wisconsin law] doesn't provide any special circumstances for class action to proceed without due notice, and a motion hearing on something as significant as whether or not we are going to have one or several plaintiffs versus a class of people all over the United States.

Transcript, Ex C, at 8:2-9.

16. Upon information and belief, from the date of the 1998 Hearing until the December 17, 2002 petition date of the Finance Company Debtors, there was no subsequent

[2] A true and accurate copy of the Transcript from the 1998 Hearing is attached hereto as Exhibit C.

order by the Circuit Court in the Wisconsin Action that rendered the initial class certification order final or otherwise certified this matter as a nationwide class action.

17. In view of foregoing, the CFC Estate respectfully submits that the Woodward Claims should not be considered by this Court, either individually or together.

18. The Woodward Claimants have remained silent on the inadequacy of the certification of this purported class. No doubt, the Woodward Claimants would be content to allow this Court to proceed under the erroneous assumption that another court had considered and decided the issue of class certification on its merits. In fact that has never occurred, and the submission of the Woodword Claims as class claims is improper.

19. Based upon the foregoing, the CFC Estate objects to the Woodward Claims to the extent any of them purport to proofs of claim on behalf of a class of similarly-situated claimants. Moreover, the CFC Estate objects to the Woodward Claims individually, because none alone provides a sufficient basis to support a claim against the CFC Estate.

20. Further, as stated above, the Woodward Claims remain subject to the CFC Estate's objection set forth in the Eighth Omnibus Objection, and the CFC Estate hereby renews such objection. The CFC Estate therefore objects to the Woodward Claims, as the CFC Estate maintains it has no liability to the Woodward Claimants.

RELIEF REQUESTED

21. The CFC Estate respectfully requests the entry of the Order expunging and disallowing the Woodward Claims for all purposes.

NOTICE

22. Notice of this Objection has been given to: (i) the United States Trustee for the Northern District of Illinois; and (ii) the Core Group and 2002 List, as defined in the current Case Management Procedures.

NO PRIOR REQUEST

23. No previous request for the relief sought herein has been made to this or any other court.

WHEREFORE, the CFC Estate respectfully requests that the Court grant the relief requested herein and Order that the Woodward Claims be expunged and disallowed for all purposes.

Dated: May 14, 2004

CFC ESTATE

By: _____
One of its Attorneys

Keith J. Shapiro (ARDC No. 6184374)
Nancy A. Mitchell (ARDC No. 6199397)
Nancy A. Peterman (ARDC No. 6208120)
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UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

PROOF OF CLAIM

• Name of Debtor Against Which You Assert Your Claim

YOU MUST SELECT A DEBTOR AGAINST WHOM YOU ASSERT YOUR CLAIM YOU SELECT A DEBTOR BY CHECKING ONE BOX ON THE OTHER SIDE OF THIS NOTICE NOTE Check one box only Creditors • holding claims against more than one Debtor must file a separate claim in the case of each Debtor against whom the creditor asserts a claim A creditor will be bound by the Debtor named in its proof of claim

03103104119776

YOUR CLAIM IS SCHEDULED AS

CONSECO FINANCE CORP (02-49675 CAD)

UNKNOWN UNSECURED CONTINGENT DISPUTED UNLIQUIDATED

NOTE This form should not be used to make a claim for an administrative expense arising after the commencement of the case A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503

Name of Creditor and Address

03103104119776

JAMES WOODWARD
C/O JW PHEBUS
PHEBUS & WINKELMAN
PO BOX 1008
URBANA IL 61803-1008

Creditor Telephone Number ( )

☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim Attach copy of statement giving particulars

☐ **Check box if you have never received any notices from the bankruptcy court in this case**

☐ Check box if this address differs from the address on the envelope sent to you by the court

The amounts reflected above if any constitute your claim as scheduled by the Debtor If you agree with the amounts set forth herein and have no other claim against the Debtor you do not need to file this proof of claim EXCEPT as stated below

If the amounts shown above are listed as Contingent Unliquidated or Disputed a proof of claim must be filed

If you have already filed a proof of claim with the Bankruptcy Court or BMC you do not need to file

CREDITOR TAX I D #

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR

Check here if this claim ☐ replace or ☐ amends a previously filed claim dated _____

1 BASIS FOR CLAIM See attached

☐ Goods sold
☐ Services performed
☐ Money loaned
☐ Bondholder
☐ Personal injury/wrongful death
☐ Taxes
☐ Other (describe briefly)
☐ Retiree benefits as defined in 11 U S C § 1114(a
☐ Wages salaries and compensation (Fill out below)

Your social security number _____

Unpaid compensation for services performed from _____ (date) to _____ (date)

2 DATE DEBT WAS INCURRED See attached

3 IF COURT JUDGMENT, DATE OBTAINED See attached

4 TOTAL AMOUNT OF CLAIM

See attached

$ _____ (unsecured) $ _____ (secured) $ _____ (unsecured priority) $ _____ (total)

If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below

☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim Attach itemized statement of all interest or additional charges

5 SECURED CLAIM

☐ Check this box if your claim is secured by collateral (including a right of setoff)

Brief description of collateral

☐ Real Estate
☐ Motor Vehicle
☐ Other _____

Value of collateral $ _____

Amount of arrearage and other charges at time case filed included in secured claim above if any $ _____

6 UNSECURED PRIORITY CLAIM

☐ Check this box if you have an unsecured priority claim

Specify the priority of the claim

☐ Wages salaries or commissions (up to $4 650*) earned within 90 days before filing of the bankruptcy petition or cessation of the Debtor s business whichever is earlier 11 U S C § 507(a)(3)

☐ Contributions to an employee benefit plan 11 U S C § 507(a)(4)

☐ Up to $2 100* of deposits toward purchase lease or rental of property or services for personal family or household use 11 U S C § 507(a)(6)

☐ Alimony maintenance or support owed to a spouse former spouse or child 11 U S C § 507(a)(7)

☐ Taxes or penalties owed to governmental units 11 U S C § 507(a)(8)

☐ Other Specify applicable paragraph of 11 U S C § 507(a) _____

Amounts are subject to adjustment on 4/1/01 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment

7 CREDITS The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim

8 SUPPORTING DOCUMENTS *Attach copies of supporting documents* such as promissory notes purchase orders invoices itemized statements of running accounts contracts court judgments mortgages security agreements and evidence of perfection of lien DO NOT SEND ORIGINAL DOCUMENTS If the documents are not available explain If the documents are voluminous attach a summary

9 DATE-STAMPED COPY **To receive an acknowledgment of your claim, please enclose a self-addressed stamped envelope and an additional copy of your claim**

The original of this completed proof of claim form must be sent by mail or hand delivered (FAXES NOT ACCEPTED) so that it is received on or before 4 00 pm, Central Time on May 22 2003

BY MAIL TO
Bankruptcy Management Corporation
ATTN Conseco Inc Claims
P O BOX 1042
El Segundo CA 90245-1042

BY HAND OR OVERNIGHT DELIVERY TO
Bankruptcy Management Corporation
ATTN Conseco Inc Claims
1330 East Franklin Avenue
El Segundo CA 90245

THIS SPACE FOR COURT USE ONLY

FILED

MAY 23 2003

DATE SIGNED 5-22-03

SIGN and print the name and title if any of the creditor or other person authorized to file this claim (attach copy of power of attorney if any)

Penalty for presenting fraudulent claim is a fine of up to $500 000 or imprisonment for up to 5 years or both 18 U S C

Conseco Finance Corp Claim

49675003172

Name of Debtor Against Which You Assert Your Claim
Check One Box Only

- [x] Conseco Finance Corp (02-49675 CAD)
- [ ] Conseco Finance Servicing Corp (02-49676-CAD)
- [ ] Conseco Agency of Alabama Inc (03-04692-CAD)
- [ ] Conseco Agency Inc (03-04693-CAD)
- [ ] Conseco Agency of Kentucky Inc (03 04694-CAD)
- [ ] Conseco Agency of Nevada Inc (03-04695-CAD)
- [ ] Conseco Agency of New York Inc (03-04696-CAD)
- [ ] Crum-Reed General Agency Inc (03-04697-CAD)
- [ ] Conseco Finance Canada Company (03-04698-CAD)
- [ ] Conseco Finance Canada Holding Company (03 04699-CAD)
- [ ] Conseco Finance Corp Alabama (03-04700-CAD)
- [ ] Conseco Finance Credit Corp (03 04701 CAD)
- [ ] Conseco Finance Consumer Discount Company (03-04702-CAD)
- [ ] Conseco Finance Loan Company (03-04703-CAD)
- [ ] Conseco Finance Net Interest Margin Finance Corp I (03-04704 CAD)
- [ ] Conseco Finance Net Interest Margin Finance Corp II (03-04705 CAD)
- [ ] Green Tree Floorplan Funding Corp (03-04706-CAD)
- [ ] Green Tree Finance Corp Two (03-04707-CAD)
- [ ] Landmark Manufactured Housing Inc (03-04708-CAD)
- [ ] Rice Park Properties Corporation (03-04709-CAD)

INSTRUCTIONS FOR FILING PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law In particular types of cases or circumstances such as bankruptcy cases that are not filed voluntarily by a debtor there may be exceptions to the general rules

— DEFINITIONS —

Debtor

The person corporation or other entity that has filed a bankruptcy case is called the debtor

Creditor

A creditor is any person corporation or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed

Proof of Claim

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim) This form must be filed with the court appointed Claims Agent Bankruptcy management Corporation at the address listed on the reverse side of this page

Secured Claim

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property

Examples of liens are a mortgage on real estate and a security interest in a car truck boat television set or other item of property A lien may have been obtained through a court proceeding before a bankruptcy case began in some states a court judgment is a lien In addition to the extent a creditor also owes money to the debtor (has a right of setoff) the creditor's claim may be a secured claim (See also Unsecured Claim)

Unsecured Claim

If a claim is not secured claim it is an unsecured claim A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full

Unsecured Priority Claim

Certain types of unsecured claims are given priority so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims) The most common types of priority claims are listed on the proof of claim form Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as Unsecured Nonpriority Claims

Items to be completed in Proof of Claim form (if not already filled in)

Court Name of Debtor and Case Number

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example District of Delaware) the name of the debtor in the bankruptcy case and the bankruptcy case number If you received a notice of the case from the Claims Agent Bankruptcy Management Corporation all of this information is near the top of the notice

Information about Creditor

If not already accurately pre-printed complete the section giving the name address and telephone number of the creditor to whom the debtor owes money or property and the debtor's account number if any If (a) anyone else has already filed a proof of claim relating to this debt (b) if you never received notices from the bankruptcy court about this case (c) if your address differs from that to which the Claims Agent sent this notice or (d) if this proof of claim replaces or amends a proof of claim that was already filed check the appropriate boxes on the form

1 Basis for Claim

Check the type of debt for which the proof of claim is being filed If the type of debt is not listed check Other and briefly describe the type of debt If you were an employee of the debtor fill in your social security number and the dates of work for which you were not paid

2 Date Debt Incurred

Fill in the date when the debt was first owed by the debtor

3 Court Judgments

If you have a court judgment for the debt state the date the court entered the judgment

4 Total Amount of Claim at Time Case Filed

Fill in the total amount of the entire claim If interest or other charges in addition to the principal amount of the claim are included check the appropriate place on the form and attach an itemization of the interest and charges

5 Secured Claim

If your claim is a secured claim check the appropriate boxes in this section You must state the type and value of property that is collateral for the claim attach copies of the documentation of your lien and state the amount past due on the claim as of the date the bankruptcy case was filed A claim may be partly secured and partly unsecured (See DEFINITIONS above)

6 Unsecured Priority Claim

If your claim is an unsecured priority claim (See DEFINITIONS above) check the appropriate boxes in this section and state the amount entitled to priority A claim may be partly priority and partly nonpriority if for example the claim is more than the amount given priority by the law Check the appropriate place to specify the type of priority claim

7 Credits

By signing this proof of claim you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor

8 Supporting Documents

You must attach to the proof of claim form copies of documents that show the debtor owes the debt claimed or if the documents are too lengthy a summary of those documents If documents are not available you must attach an explanation of why they are not available

Please read – important information upon completion of this claim form you are certifying that the statements herein are true

Be sure to date the claim and place original signature of claimant or person making the claim for creditor where indicated at the bottom of the claim form Please type or print name of individual under the signature Be sure all items are answered on the claim form If not applicable insert Not Applicable

Return claim form and attachments if any and a second copy with any attachments to the Claims Agent, Bankruptcy Management Corporation at the address on the front of this form

1 Tortious conduct in sale or charging for collateral protection insurance in conjunction with financing of mobile homes Creditors are plaintiffs in a certified national class in the Circuit Court of Waupaca County, State of Wisconsin, cause no 96-CV-153, certification order being dated April 26, 1996, a copy of which is attached Certification has been vacated as to Class B and C

2 Date debt incurred varies from class member to class member and was incurred on multiple dates

3 Court has certified a national class, however, decision on the merits of the claim has not been rendered

4 Based on pretrial discovery, the total amount of unsecured claim on behalf of the entire class is $32,760,000

8 Attached is a copy of the class certification order

Claim is asserted against Conseco Finance Corp

Claim is asserted in conjunction with claim by other class members as a common claim of the class This schedule is attached to the claim forms filed by other class representatives

Damages calculations

- 3,276 forced placements of property insurance by defendant in the State of Wisconsin during the time period from 1990 to 2000
- Wisconsin represents 2 percent of the United States population
- Pro-rated this represents 163,800 forced placements in the United States by the defendant during this time period This figure is calculated based on the actual figure for Wisconsin placements provided in discovery
- Assuming average damages per forced placement at $200, this results in an aggregate damage of $32,760,000

Executed by
J W Phebus
Attorney at Law for Claimant
Phebus & Koester
136 West Main Street
Urbana, Illinois 61801
(217) 337-1400
F \DOCS\JOE\CPI\wisconsin 2\claim form doc

STATE OF WISCONSIN CIRCUIT COURT WAUPACA COUNTY

LAWRENCE ARIZIVINO, BRENDA ARIZIVINO, JOHN LOM, EVELYN J WATKINS, and DENISE ELIAS,	)	
Plaintiffs,	)	
vs	)	No 96 -CV-153 Class Action
GREEN TREE FINANCIAL CORPORATION, GREEN TREE ACCEPTANCE, INC , GREEN TREE AGENCY, INC , AMERICAN BANKERS INSURANCE GROUP, INC , AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA, FOREMOST CORPORATION OF AMERICA, and FOREMOST INSURANCE COMPANY,	)	
Defendants	)	

CLASS CERTIFICATION ORDER

THIS CAUSE COMING ON TO BE HEARD on the Class Action Complaint and on the Motion for Certification thereof, and the Court having considered the pleadings, memorandum of law, and exhibits on file herein and being fully advised into the premise finds that class certification should be granted and that

1 The named parties have a right or interest in common with the persons represented,

2 The named parties will fairly represent the interests and rights involved so that the issues will fairly and honestly be tried,

3 It would be impractical to bring all interested persons before this Court,

4 A class action is the superior method to adjudicate this controversy, and

5 The Plaintiffs have retained counsel with experience in prosecuting class actions who will fairly and adequately represent the class

ACCORDINGLY, IT IS HEREBY ORDERED that this matter is conditionally certified as a /national class action, pursuant to Section 803 08 of the Wisconsin statutes, with the Classes being defined as follows

A **Class A** As to Green Tree, all persons who had loans or who co-signed or guaranteed loans with or assigned to Green Tree secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm/contractor equipment, motorcycles, or other personal property, in regard to which loan a defendant placed collateral protection insurance on the property

B **Class B.** As to American Bankers, all persons who had loans with, or who co-signed or guaranteed loans with, or assigned to, a financial institution secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm equipment, contractor equipment, motorcycles or other personal property who were charged for collateral protection insurance and related charges pursuant to policies provided by American Bankers for which insurance a premium greater than commercially appropriate was charged as a result of American Bankers' relationship with the lending institution

C **Class C:** As to Foremost, all persons who had loans with, or who co-signed or guaranteed loans with, or assigned to, a financial institution secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm equipment, contractor equipment, motorcycles or other personal property who were charged for collateral protection insurance and related charges pursuant to policies provided by Foremost for which insurance a premium greater than commercially appropriate was charged as a result of Foremost's relationship with the lending institution

Excluded from the class are

A Defendants, any parent, subsidiary, affiliate, or controlled person of a Defendant, the officers, directors, agents, servants, or employees of the Defendants, and the members of the immediate family of any such person

B There are intrastate state class actions pending in the following states as to Green Tree Alabama, Florida, Illinois, Louisiana, Mississippi, Missouri, Oklahoma and Texas Accordingly, residents of those states are excluded from Class A unless they affirmatively opt in to the class in this cause (In the event an intrastate certification has not occurred prior to the trial of this cause, the court may amend the class by deleting all or part of this exclusion)

C There are intrastate class actions pending in the following states as to American Bankers Alabama, Florida, Illinois and Mississippi Accordingly,

residents of those states are excluded from Class B unless they affirmatively opt in to the class in this cause. (In the event an intrastate certification has not occurred prior to the trial of this cause the court may amend the class by deleting all or part of this exclusion)

D There is an intrastate class action pending in Illinois as to Foremost. Accordingly, residents of this state are excluded from Class C unless they affirmatively opt in to the class in this cause (In the event an intrastate certification has not occurred prior to the trial of this cause, the court may amend the class by deleting all or part of this exclusion)

E All persons who prior to the date of filing of the Complaint herein have filed an individual suit against one of the defendants challenging the practices which are the subject matter of this litigation

F All persons who timely opt out of this proceeding

Among the issues to be determined are without limitation, whether Defendants failed to act in good faith toward the class members in the procurement and purchase of collateral protection insurance, whether Defendants' breaches of fiduciary duties to all class members entitles them to a civil remedy, whether Defendants engaged in a uniform and systematic fraud in the inducement of its boilerplate contracts with the class members, and whether Defendants violated various applicable consumer statutes in their overall scheme to overcharge customers for collateral protection insurance and, if so, the amount of compensatory and punitive damages the class members are entitled.

This is a conditional certification order, and accordingly, the court reserves the right to modify the class definition or otherwise modify this order and to vacate this order

Entered this 26th day of APRIL, 1996

JUDGE

TAP HD CLIENTS CPI GREENTREE ARIZVIN ORGS

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

PROOF OF CLAIM

03103104119778

YOUR CLAIM IS SCHEDULED AS

CONSECO FINANCE CORP (02-49675 CAD)

UNKNOWN UNSECURED CONTINGENT DISPUTED UNLIQUIDATED

The amounts reflected above if any constitute your claim as scheduled by the Debtor If you agree with the amounts set forth herein and have no other claim against the Debtor you do not need to file this proof of claim EXCEPT as stated below

If the amounts shown above are listed as Contingent Unliquidated or Disputed a proof of claim must be filed

If you have already filed a proof of claim with the Bankruptcy Court or BMC you do not need to file

Name of Debtor Against Which You Assert Your Claim

YOU MUST SELECT A DEBTOR AGAINST WHOM YOU ASSERT YOUR CLAIM YOU SELECT A DEBTOR BY CHECKING ONE BOX ON THE OTHER SIDE OF THIS NOTICE NOTE Check one box only Creditors holding claims against more than one Debtor must file a separate claim in the case of each Debtor against whom the creditor asserts a claim A creditor will be bound by the Debtor named in its proof of claim

NOTE This form should not be used to make a claim for an administrative expense arising after the commencement of the case A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503

Name of Creditor and Address

03103104119778

BRENDA WOODWARD
C/O JW PHEBUS
PHEBUS & WINKELMAN
PO BOX 1008
URBANA IL 61803-1008

Creditor Telephone Number ( )

☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim Attach copy of statement giving particulars

☐ **Check box if you have never received any notices from the bankruptcy court in this case**

☐ Check box if this address differs from the address on the envelope sent to you by the court

CREDITOR TAX I D #

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR

Check here if this claim ☐ replace or ☐ amends a previously filed claim dated _____

1 BASIS FOR CLAIM See attached

☐ Goods sold
☐ Services performed
☐ Money loaned
☐ Bondholder
☐ Personal injury/wrongful death
☐ Taxes
☐ Other (describe briefly)
☐ Retiree benefits as defined in 11 U S C § 1114(a
☐ Wages salaries and compensation (Fill out below)

Your social security number _____

Unpaid compensation for services performed from _____ (date) to _____ (date)

2 DATE DEBT WAS INCURRED See attached

3 IF COURT JUDGMENT DATE OBTAINED See attached

4 TOTAL AMOUNT OF CLAIM See attached

$ _____ (unsecured) $ _____ (secured) $ _____ (unsecured priority) $ _____ (total)

If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below

☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim Attach itemized statement of all interest or additional charges

5 SECURED CLAIM

☐ Check this box if your claim is secured by collateral (including a right of setoff)

Brief description of collateral

☐ Real Estate
☐ Motor Vehicle
☐ Other _____

Value of collateral $ _____

Amount of arrearage and other charges at time case filed included in secured claim above if any $ _____

6 UNSECURED PRIORITY CLAIM

☐ Check this box if you have an unsecured priority claim

Specify the priority of the claim

☐ Wages salaries or commissions (up to $4 650) earned within 90 days before filing of the bankruptcy petition or cessation of the Debtor s business whichever is earlier 11 U S C § 507(a)(3)
☐ Contributions to an employee benefit plan 11 U S C § 507(a)(4)
☐ Up to $2 100 of deposits toward purchase lease or rental of property or services for personal family or household use 11 U S C § 507(a)(6)
☐ Alimony maintenance or support owed to a spouse former spouse o child 11 U S C § 507(a)(7)
☐ Taxes or penalties owed to governmental units 11 U S C § 507(a)(8)
☐ Other Specify applicable paragraph of 11 U S C § 507(a) _____

Amounts are subject to adjustment on 4/1/01 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment

7 CREDITS The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim

8 SUPPORTING DOCUMENTS *Attach copies of supporting documents* such as promissory notes purchase orders invoices itemized statements of running accounts contracts court judgments mortgages security agreements and evidence of perfection of lien DO NOT SEND ORIGINAL DOCUMENTS If the documents are not available explain If the documents are voluminous attach a summary

9 DATE-STAMPED COPY **To receive an acknowledgment of your claim, please enclose a self-addressed stamped envelope and an additional copy of your claim**

The original of this completed proof of claim form must be sent by mail or hand delivered (FAXES NOT ACCEPTED) so that it is received on or before 4 00 pm Central Time on May 22 2003

BY MAIL TO
Bankruptcy Management Corporation
ATTN Conseco Inc Claims
P O BOX 1042
El Segundo CA 90245 1042

BY HAND OR OVERNIGHT DELIVERY TO
Bankruptcy Management Corporation
ATTN Conseco Inc Claims
1330 East Franklin Avenue
El Segundo CA 90245

THIS SPACE FOR COURT USE ONLY

FILED
MAY 23 2003
BMC

DATE SIGNED 5-22-03

SIGN and print the name and title if any of the creditor or other person authorized to file this claim (attach copy of power of attorney if any)

Penalty for presenting fraudulent claim is a fine of up to $500 000 or imprisonment for up to 5 years or both 18 U S C 56 152 A D 057

Conseco Finance Corp Claim
49675003702

EXHIBIT A

Name of Debtor Against Which You Assert Your Claim

Check One Box Only

- [x] Conseco Finance Corp (02-49675-CAD)
- [ ] Conseco Finance Servicing Corp (02-49676 CAD)
- [ ] Conseco Agency of Alabama Inc (03-04692 CAD)
- [ ] Conseco Agency Inc (03-04693-CAD)
- [ ] Conseco Agency of Kentucky Inc (03-04694 CAD)
- [ ] Conseco Agency of Nevada Inc (03-04695 CAD)
- [ ] Conseco Agency of New York Inc (03-04696-CAD)
- [ ] Crum-Reed General Agency Inc (03-04697 CAD)
- [ ] Conseco Finance Canada Company (03 04698-CAD)
- [ ] Conseco Finance Canada Holding Company (03-04699-CAD)
- [ ] Conseco Finance Corp Alabama (03 04700 CAD)
- [ ] Conseco Finance Credit Corp (03-04701 CAD)
- [ ] Conseco Finance Consumer Discount Company (03-04702 CAD)
- [ ] Conseco Finance Loan Company (03 04703 CAD)
- [ ] Conseco Finance Net Interest Margin Finance Corp I (03-04704-CAD)
- [ ] Conseco Finance Net Interest Margin Finance Corp II (03 04705-CAD)
- [ ] Green Tree Floorplan Funding Corp (03-04706-CAD)
- [ ] Green Tree Finance Corp Two (03 04707 CAD)
- [ ] Landmark Manufactured Housing Inc (03 04708-CAD)
- [ ] Rice Park Properties Corporation (03 04709 CAD)

INSTRUCTIONS FOR FILING PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law In particular types of cases or circumstances such as bankruptcy cases that are not filed voluntarily by a debtor there may be exceptions to the general rules

-- DEFINITIONS --

Debtor

The person corporation or other entity that has filed a bankruptcy case is called the debtor

Creditor

A creditor is any person corporation or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed

Proof of Claim

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor s claim) This form must be filed with the court appointed Claims Agent Bankruptcy management Corporation at the address listed on the reverse side of this page

Secured Claim

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property

Examples of liens are a mortgage on real estate and a security interest in a car truck boat television set or other item of property A lien may have been obtained through a court proceeding before a bankruptcy case began in some states a court judgment is a lien In addition to the extent a creditor also owes money to the debtor (has a right of setoff) the creditor s claim may be a secured claim (See also Unsecured Claim)

Unsecured Claim

If a claim is not secured claim it is an unsecured claim A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full

Unsecured Priority Claim

Certain types of unsecured claims are given priority so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims) The most common types of priority claims are listed on the proof of claim form Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as Unsecured Nonpriority Claims

Items to be completed in Proof of Claim form (if not already filled in)

Court, Name of Debtor, and Case Number

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example District of Delaware) the name of the debtor in the bankruptcy case and the bankruptcy case number If you received a notice of the case from the Claims Agent Bankruptcy Management Corporation all of this information is near the top of the notice

Information about Creditor

If not already accurately pre-printed complete the section giving the name address and telephone number of the creditor to whom the debtor owes money or property and the debtor's account number if any If (a) anyone else has already filed a proof of claim relating to the debt (b) if you never received notices from the bankruptcy court about this case (c) if your address differs from that to which the Claims Agent sent the notice or (d) if this proof of claim replaces or amends a proof of claim that was already filed check the appropriate boxes on the form

1 Basis for Claim

Check the type of debt for which the proof of claim is being filed If the type of debt is not listed check Other and briefly describe the type of debt If you were an employee of the debtor fill in your social security number and the dates of work for which you were not paid

2 Date Debt Incurred

Fill in the date when the debt was first owed by the debtor

3 Court Judgments

If you have a court judgment for this debt state the date the court entered the judgment

4 Total Amount of Claim at Time Case Filed

Fill in the total amount of the entire claim If interest or other charges in addition to the principal amount of the claim are included check the appropriate place on the form and attach an itemization of the interest and charges

5 Secured Claim

If your claim is a secured claim check the appropriate boxes in this section You must state the type and value of property that is collateral for the claim attach copies of the documentation of your lien and state the amount past due on the claim as of the date the bankruptcy case was filed A claim may be partly secured and partly unsecured (See DEFINITIONS above)

6 Unsecured Priority Claim

If your claim is an unsecured priority claim (See DEFINITIONS above) check the appropriate boxes in this section and state the amount entitled to priority A claim may be partly priority and partly nonpriority if for example the claim is more than the amount given priority by the law Check the appropriate place to specify the type of priority claim

7 Credits

By signing this proof of claim you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor

8 Supporting Documents

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or if the documents are too lengthy a summary of those documents If documents are not available you must attach an explanation of why they are not available

Please read – Important information upon completion of this claim form you are certifying that the statements herein are true

Be sure to date the claim and place original signature of claimant or person making the claim for creditor where indicated at the bottom of the claim form Please type or print name of individual under the signature Be sure all items are answered on the claim form If not applicable insert Not Applicable

Return claim form and attachments if any and a second copy with any attachments to the Claims Agent, Bankruptcy Management Corporation at the address on the front of this form

1 Tortious conduct in sale or charging for collateral protection insurance in conjunction with financing of mobile homes Creditors are plaintiffs in a certified national class in the Circuit Court of Waupaca County, State of Wisconsin, cause no 96-CV-153, certification order being dated April 26, 1996, a copy of which is attached Certification has been vacated as to Class B and C

2 Date debt incurred varies from class member to class member and was incurred on multiple dates

3 Court has certified a national class, however, decision on the merits of the claim has not been rendered

4 Based on pretrial discovery, the total amount of unsecured claim on behalf of the entire class is $32,760,000

8 Attached is a copy of the class certification order

Claim is asserted against Conseco Finance Corp

Claim is asserted in conjunction with claim by other class members as a common claim of the class This schedule is attached to the claim forms filed by other class representatives

Damages calculations

- 3,276 forced placements of property insurance by defendant in the State of Wisconsin during the time period from 1990 to 2000
- Wisconsin represents 2 percent of the United States population
- Pro-rated this represents 163,800 forced placements in the United States by the defendant during this time period This figure is calculated based on the actual figure for Wisconsin placements provided in discovery
- Assuming average damages per forced placement at $200, this results in an aggregate damage of $32,760,000

Executed by
J W Phebus
Attorney at Law for Claimant
Phebus & Koester
136 West Main Street
Urbana, Illinois 61801
(217) 337-1400
F \DOCS\JOE\CPI\wisconsin 2\claim form doc

STATE OF WISCONSIN CIRCUIT COURT WAUPACA COUNTY

LAWRENCE ARIZIVINO, BRENDA ARIZIVINO, JOHN LOM, EVELYN J WATKINS, and DENISE ELIAS,	)	
Plaintiffs,	)	
vs	)	No 96 -CV-153 Class Action
GREEN TREE FINANCIAL CORPORATION, GREEN TREE ACCEPTANCE, INC , GREEN TREE AGENCY, INC , AMERICAN BANKERS INSURANCE GROUP, INC , AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA, FOREMOST CORPORATION OF AMERICA, and FOREMOST INSURANCE COMPANY,	)	
Defendants	)	

CLASS CERTIFICATION ORDER

THIS CAUSE COMING ON TO BE HEARD on the Class Action Complaint and on the Motion for Certification thereof, and the Court having considered the pleadings, memorandum of law, and exhibits on file herein and being fully advised into the premise finds that class certification should be granted and that

1 The named parties have a right or interest in common with the persons represented,

2 The named parties will fairly represent the interests and rights involved so that the issues will fairly and honestly be tried,

3 It would be impractical to bring all interested persons before this Court,

4 A class action is the superior method to adjudicate this controversy, and

5 The Plaintiffs have retained counsel with experience in prosecuting class actions who will fairly and adequately represent the class

ACCORDINGLY, IT IS HEREBY ORDERED that this matter is conditionally certified as a national class action, pursuant to Section 803 08 of the Wisconsin statutes, with the Classes being defined as follows

A **Class A** As to Green Tree, all persons who had loans or who co-signed or guaranteed loans with or assigned to Green Tree secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm/contractor equipment, motorcycles, or other personal property, in regard to which loan a defendant placed collateral protection insurance on the property

B **Class B** As to American Bankers, all persons who had loans with, or who co-signed or guaranteed loans with, or assigned to, a financial institution secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm equipment, contractor equipment, motorcycles or other personal property who were charged for collateral protection insurance and related charges pursuant to policies provided by American Bankers for which insurance a premium greater than commercially appropriate was charged as a result of American Bankers' relationship with the lending institution

C **Class C.** As to Foremost, all persons who had loans with, or who co-signed or guaranteed loans with, or assigned to, a financial institution secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm equipment, contractor equipment, motorcycles or other personal property who were charged for collateral protection insurance and related charges pursuant to policies provided by Foremost for which insurance a premium greater than commercially appropriate was charged as a result of Foremost's relationship with the lending institution

Excluded from the class are

A Defendants, any parent, subsidiary, affiliate, or controlled person of a Defendant, the officers, directors, agents, servants, or employees of the Defendants, and the members of the immediate family of any such person

B There are intrastate state class actions pending in the following states as to Green Tree Alabama, Florida, Illinois, Louisiana, Mississippi, Missouri, Oklahoma and Texas Accordingly, residents of those states are excluded from Class A unless they affirmatively opt in to the class in this cause (In the event an intrastate certification has not occurred prior to the trial of this cause, the court may amend the class by deleting all or part of this exclusion)

C There are intrastate class actions pending in the following states as to American Bankers Alabama, Florida, Illinois and Mississippi Accordingly,

residents of those states are excluded from Class B unless they affirmatively opt in to the class in this cause. (In the event an intrastate certification has not occurred prior to the trial of this cause the court may amend the class by deleting all or part of this exclusion)

D There is an intrastate class action pending in Illinois as to Foremost Accordingly, residents of this state are excluded from Class C unless they affirmatively opt in to the class in this cause (In the event an intrastate certification has not occurred prior to the trial of this cause, the court may amend the class by deleting all or part of this exclusion)

E All persons who prior to the date of filing of the Complaint herein have filed an individual suit against one of the defendants challenging the practices which are the subject matter of this litigation

F All persons who timely opt out of this proceeding

Among the issues to be determined are without limitation, whether Defendants failed to act in good faith toward the class members in the procurement and purchase of collateral protection insurance, whether Defendants' breaches of fiduciary duties to all class members entitles them to a civil remedy, whether Defendants engaged in a uniform and systematic fraud in the inducement of its boilerplate contracts with the class members, and whether Defendants violated various applicable consumer statutes in their overall scheme to overcharge customers for collateral protection insurance and, if so, the amount of compensatory and punitive damages the class members are entitled

This is a conditional certification order, and accordingly, the court reserves the right to modify the class definition or otherwise modify this order and to vacate this order

Entered this 26th day of APRIL, 1996

JUDGE

T&P NO CLIENTS CPI GREENTREE ARIZIVIN ORDZ

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

PROOF OF CLAIM

Name of Debtor Against Which You Assert Your Claim

YOU MUST SELECT A DEBTOR AGAINST WHOM YOU ASSERT YOUR CLAIM YOU SELECT A DEBTOR BY CHECKING ONE BOX ON THE OTHER SIDE OF THIS NOTICE NOTE Check one box only Creditors holding claims against more than one Debtor must file a separate claim in the case of each Debtor against whom the creditor asserts a claim A creditor will be bound by the Debtor named in its proof of claim

03103104119780

YOUR CLAIM IS SCHEDULED AS

CONSECO FINANCE CORP (02-49675 CAD)

UNKNOWN UNSECURED CONTINGENT DISPUTED UNLIQUIDATED

The amounts reflected above if any constitute your claim as scheduled by the Debtor If you agree with the amounts set forth herein and have no other claim against the Debtor you do not need to file this proof of claim EXCEPT as stated below

If the amounts shown above are listed as Contingent Unliquidated or Disputed a proof of claim must be filed

If you have already filed a proof of claim with the Bankruptcy Court or BMC you do not need to file

NOTE This form should not be used to make a claim for an administrative expense arising after the commencement of the case A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503

Name of Creditor and Address

03103104119780

KEVIN CLARKSON
C/O JW PHEBUS
PHEBUS & WINKELMAN
PO BOX 1008
URBANA IL 61803 1008

Creditor Telephone Number ( )

☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim Attach copy of statement giving particulars

☐ **Check box if you have never received any notices from the bankruptcy court in this case**

☐ Check box if this address differs from the address on the envelope sent to you by the court

CREDITOR TAX I D #

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR

Check here if this claim ☐ replaces or ☐ amends a previously filed claim dated _____

1 BASIS FOR CLAIM See attached

☐ Goods sold
☐ Services performed
☐ Money loaned
☐ Bondholder
☐ Personal injury/wrongful death
☐ Taxes
☐ Other (describe briefly)
☐ Retiree benefits as defined in 11 U S C § 1114(a
☐ Wages salaries and compensation (Fill out below)

Your social security number _____

Unpaid compensation for services performed from _____ (date) to _____ (date)

2 DATE DEBT WAS INCURRED See attached

3 IF COURT JUDGMENT, DATE OBTAINED See attached

4 TOTAL AMOUNT OF CLAIM See attached

$ _____ (unsecured) $ _____ (secured) $ _____ (unsecured priority) $ _____ (total)

If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below

☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim Attach itemized statement of all interest or additional charges

5 SECURED CLAIM

☐ Check this box if your claim is secured by collateral (including a right of setoff)

Brief description of collateral

☐ Real Estate
☐ Motor Vehicle
☐ Other _____

Value of collateral $ _____

Amount of arrearage and other charges at time case filed included in secured claim above if any $ _____

6 UNSECURED PRIORITY CLAIM

☐ Check this box if you have an unsecured priority claim

Specify the priority of the claim

☐ Wages salaries or commissions (up to $4 650) earned within 90 days before filing of the bankruptcy petition or cessation of the Debtor's business whichever is earlier 11 U S C § 507(a)(3)
☐ Contributions to an employee benefit plan 11 U S C § 507(a)(4)
☐ Up to $2 100* of deposits toward purchase lease or rental of property or services for personal family or household use 11 U S C § 507(a)(6)
☐ Alimony maintenance or support owed to a spouse former spouse or child 11 U S C § 507(a)(7)
☐ Taxes or penalties owed to governmental units 11 U S C § 507(a)(8)
☐ Other Specify applicable paragraph of 11 U S C § 507(a) _____

Amounts are subject to equistment on 4/1/01 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment

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El Segundo CA 90245

THIS SPACE FOR COURT USE ONLY

FILED

MAY 23 2003

BMC

DATE SIGNED 5-12-03

SIGN and print the name and title if any of the creditor or other person authorized to file this claim (attach copy of power of attorney if any)

Penalty for presenting fraudulent claim is a fine of up to $500 000 or imprisonment for up to 5 years or both 18 U S

Conseco Finance Corp Claim

49675003173

Name of Debtor Against Which You Assert Your Claim

Check One Box Only

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- [ ] Conseco Finance Net Interest Margin Finance Corp I (03-04704-CAD)
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- [ ] Green Tree Floorplan Funding Corp (03-04706-CAD)
- [ ] Green Tree Finance Corp - Two (03-04707-CAD)
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- [ ] Rice Park Properties Corporation (03-04709-CAD)

INSTRUCTIONS FOR FILING PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law In particular types of cases or circumstances such as bankruptcy cases that are not filed voluntarily by a debtor there may be exceptions to the general rules

— DEFINITIONS —

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The person corporation or other entity that has filed a bankruptcy case is called the debtor

Creditor

A creditor is any person corporation or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed

Proof of Claim

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim) This form must be filed with the court appointed Claims Agent Bankruptcy management Corporation at the address listed on the reverse side of this page

Secured Claim

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property

Examples of liens are a mortgage on real estate and a security interest in a car truck boat television set or other item of property A lien may have been obtained through a court proceeding before a bankruptcy case began in some states a court judgment is a lien In addition to the extent a creditor also owes money to the debtor (has a right of setoff) the creditor's claim may be a secured claim (See also Unsecured Claim)

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If a claim is not secured claim it is an unsecured claim A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full

Unsecured Priority Claim

Certain types of unsecured claims are given priority so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims) The most common types of priority claims are listed on the proof of claim form Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as Unsecured Nonpriority Claims

Items to be completed in Proof of Claim form (if not already filled in)

Court, Name of Debtor, and Case Number

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example District of Delaware) the name of the debtor in the bankruptcy case and the bankruptcy case number If you received a notice of the case from the Claims Agent Bankruptcy Management Corporation all of this information is near the top of the notice

Information about Creditor

If not already accurately pre-printed complete the section giving the name address and telephone number of the creditor to whom the debtor owes money or property and the debtor's account number if any If (a) anyone else has already filed a proof of claim relating to this debt (b) if you never received notices from the bankruptcy court about the case (c) if your address differs from that to which the Claims Agent sent this notice or (d) if this proof of claim replaces or amends a proof of claim that was already filed check the appropriate boxes on the form

1 Basis for Claim

Check the type of debt for which the proof of claim is being filed If the type of debt is not listed check "Other" and briefly describe the type of debt If you were an employee of the debtor fill in your social security number and the dates of work for which you were not paid

2 Date Debt Incurred

Fill in this date when the debt was first owed by the debtor

3 Court Judgments

If you have a court judgment for this debt state the date the court entered the judgment

4 Total Amount of Claim at Time Case Filed

Fill in the total amount of the entire claim If interest or other charges in addition to the principal amount of the claim are included check the appropriate place on the form and attach an itemization of the interest and charges

5 Secured Claim

If your claim is a secured claim check the appropriate boxes in the section You must state the type and value of property that is collateral for the claim attach copies of the documentation of your lien and state the amount past due on the claim as of the date the bankruptcy case was filed A claim may be partly secured and partly unsecured (See DEFINITIONS above)

6 Unsecured Priority Claim

If your claim is an unsecured priority claim (See DEFINITIONS above) check the appropriate boxes in the section and state the amount entitled to priority A claim may be partly priority and partly nonpriority if for example the claim is more than the amount given priority by the law Check the appropriate place to specify the type of priority claim

7 Credits

By signing this proof of claim you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor

8 Supporting Documents

You must attach to the proof of claim form copies of documents that show the debtor owes the debt claimed or if the documents are too lengthy a summary of those documents If documents are not available you must attach an explanation of why they are not available

Please read – important information upon completion of this claim form you are certifying that the statements herein are true

Be sure to date the claim and place original signature of claimant or person making the claim for creditor where indicated at the bottom of the claim form Please type or print name of individual under the signature Be sure all items are answered on the claim form If not applicable insert Not Applicable

Return claim form and attachments if any and a second copy with any attachments to the Claims Agent, Bankruptcy Management Corporation at the address on the front of this form

1 Tortious conduct in sale or charging for collateral protection insurance in conjunction with financing of mobile homes Creditors are plaintiffs in a certified national class in the Circuit Court of Waupaca County, State of Wisconsin, cause no 96-CV-153, certification order being dated April 26, 1996, a copy of which is attached Certification has been vacated as to Class B and C

2 Date debt incurred varies from class member to class member and was incurred on multiple dates

3 Court has certified a national class, however, decision on the merits of the claim has not been rendered

4 Based on pretrial discovery, the total amount of unsecured claim on behalf of the entire class is $32,760,000

8 Attached is a copy of the class certification order

Claim is asserted against Conseco Finance Corp

Claim is asserted in conjunction with claim by other class members as a common claim of the class This schedule is attached to the claim forms filed by other class representatives

Damages calculations

- 3,276 forced placements of property insurance by defendant in the State of Wisconsin during the time period from 1990 to 2000
- Wisconsin represents 2 percent of the United States population
- Pro-rated this represents 163,800 forced placements in the United States by the defendant during this time period This figure is calculated based on the actual figure for Wisconsin placements provided in discovery
- Assuming average damages per forced placement at $200, this results in an aggregate damage of $32,760,000

Executed by
J W Phebus
Attorney at Law for Claimant
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Urbana, Illinois 61801
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F \DOCS\JOE\CPI\wisconsin 2\claim form doc

STATE OF WISCONSIN CIRCUIT COURT WAUPACA COUNTY

LAWRENCE ARIZIVINO, BRENDA ARIZIVINO, JOHN LOM, EVELYN J WATKINS, and DENISE ELIAS, Plaintiffs, vs GREEN TREE FINANCIAL CORPORATION, GREEN TREE ACCEPTANCE, INC , GREEN TREE AGENCY, INC , AMERICAN BANKERS INSURANCE GROUP, INC , AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA, FOREMOST CORPORATION OF AMERICA, and FOREMOST INSURANCE COMPANY, Defendants	)	No 96 -CV-153 Class Action

CLASS CERTIFICATION ORDER

THIS CAUSE COMING ON TO BE HEARD on the Class Action Complaint and on the Motion for Certification thereof, and the Court having considered the pleadings, memorandum of law, and exhibits on file herein and being fully advised into the premise finds that class certification should be granted and that

1 The named parties have a right or interest in common with the persons represented,

2 The named parties will fairly represent the interests and rights involved so that the issues will fairly and honestly be tried,

3 It would be impractical to bring all interested persons before this Court,

4 A class action is the superior method to adjudicate this controversy, and

5 The Plaintiffs have retained counsel with experience in prosecuting class actions who will fairly and adequately represent the class

ACCORDINGLY, IT IS HEREBY ORDERED that this matter is conditionally certified as a national class action, pursuant to Section 803 08 of the Wisconsin statutes, with the Classes being defined as follows

A **Class A:** As to Green Tree, all persons who had loans or who co-signed or guaranteed loans with or assigned to Green Tree secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm/contractor equipment, motorcycles, or other personal property, in regard to which loan a defendant placed collateral protection insurance on the property

B **Class B** As to American Bankers, all persons who had loans with, or who co-signed or guaranteed loans with, or assigned to, a financial institution secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm equipment, contractor equipment, motorcycles or other personal property who were charged for collateral protection insurance and related charges pursuant to policies provided by American Bankers for which insurance a premium greater than commercially appropriate was charged as a result of American Bankers' relationship with the lending institution

C **Class C:** As to Foremost, all persons who had loans with, or who co-signed or guaranteed loans with, or assigned to, a financial institution secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm equipment, contractor equipment, motorcycles or other personal property who were charged for collateral protection insurance and related charges pursuant to policies provided by Foremost for which insurance a premium greater than commercially appropriate was charged as a result of Foremost's relationship with the lending institution

Excluded from the class are

A Defendants, any parent, subsidiary, affiliate, or controlled person of a Defendant, the officers, directors, agents, servants, or employees of the Defendants, and the members of the immediate family of any such person

B There are intrastate state class actions pending in the following states as to Green Tree Alabama, Florida, Illinois, Louisiana, Mississippi, Missouri, Oklahoma and Texas Accordingly, residents of those states are excluded from Class A unless they affirmatively opt in to the class in this cause (In the event an intrastate certification has not occurred prior to the trial of this cause, the court may amend the class by deleting all or part of this exclusion)

C There are intrastate class actions pending in the following states as to American Bankers Alabama, Florida, Illinois and Mississippi Accordingly,

residents of those states are excluded from Class B unless they affirmatively opt in to the class in this cause. (In the event an intrastate certification has not occurred prior to the trial of this cause the court may amend the class by deleting all or part of this exclusion)

D There is an intrastate class action pending in Illinois as to Foremost Accordingly, residents of this state are excluded from Class C unless they affirmatively opt in to the class in this cause (In the event an intrastate certification has not occurred prior to the trial of this cause, the court may amend the class by deleting all or part of this exclusion)

E All persons who prior to the date of filing of the Complaint herein have filed an individual suit against one of the defendants challenging the practices which are the subject matter of this litigation

F All persons who timely opt out of this proceeding

Among the issues to be determined are without limitation, whether Defendants failed to act in good faith toward the class members in the procurement and purchase of collateral protection insurance, whether Defendants' breaches of fiduciary duties to all class members entitles them to a civil remedy; whether Defendants engaged in a uniform and systematic fraud in the inducement of its boilerplate contracts with the class members, and whether Defendants violated various applicable consumer statutes in their overall scheme to overcharge customers for collateral protection insurance and, if so, the amount of compensatory and punitive damages the class members are entitled.

This is a conditional certification order, and accordingly, the court reserves the right to modify the class definition or otherwise modify this order and to vacate this order

Entered this 26th day of APRIL, 1996

JUDGE

TAP HD CLIENTS CPI GREENTREE ARIZVIN ORDR

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

PROOF OF CLAIM

Name of Debtor Against Which You Assert Your Claim

YOU MUST SELECT A DEBTOR AGAINST WHOM YOU ASSERT YOUR CLAIM YOU SELECT A DEBTOR BY CHECKING ONE BOX ON THE OTHER SIDE OF THIS NOTICE NOTE Check one box only Creditors holding claims against more than one Debtor must file a separate claim in the case of each Debtor against whom the creditor asserts a claim A creditor will be bound by the Debtor named in its proof of claim

03103104119782

YOUR CLAIM IS SCHEDULED AS

CONSECO FINANCE CORP (02-49676-CAD)

UNKNOWN UNSECURED CONTINGENT DISPUTED UNLIQUIDATED

The amounts reflected above if any constitute your claim as scheduled by the Debtor If you agree with the amounts set forth herein and have no other claim against the Debtor you do not need to file this proof of claim EXCEPT as stated below

If the amounts shown above are listed as Contingent Unliquidated or Disputed a proof of claim must be filed

If you have already filed a proof of claim with the Bankruptcy Court or BMC you do not need to file

NOTE This form should not be used to make a claim for an administrative expense arising after the commencement of the case A *request for payment of an administrative expense may be filed pursuant to 11 U S C § 503

Name of Creditor and Address

03103104119782

PATRICIA CLARKSON
C/O JW PHEBUS
PHEBUS & WINKELMAN
PO BOX 1008
URBANA IL 61803-1008

Creditor Telephone Number ( )

☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim Attach copy of statement giving particulars

☐ **Check box if you have never received any notices from the bankruptcy court in this case**

☐ Check box if this address differs from the address on the envelope sent to you by the court

CREDITOR TAX ID #

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR

Check here if this claim ☐ replaces or ☐ amends a previously filed claim dated _____

1 BASIS FOR CLAIM See attached

☐ Goods sold
☐ Services performed
☐ Money loaned
☐ Bondholder
☐ Personal injury/wrongful death
☐ Taxes
☐ Other (describe briefly)
☐ Retiree benefits as defined in 11 U S C § 1114(a
☐ Wages salaries and compensation (Fill out below)

Your social security number _____

Unpaid compensation for services performed from _____ (date) to _____ (date)

2 DATE DEBT WAS INCURRED See attached

3 IF COURT JUDGMENT DATE OBTAINED See attached

4 TOTAL AMOUNT OF CLAIM See attached

$ _____ (unsecured) $ _____ (secured) $ _____ (unsecured priority) $ _____ (total)

If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below

☐ Check the box if claim includes interest or other charges in addition to the principal amount of the claim Attach itemized statement of all interest or additional charges

5 SECURED CLAIM

☐ Check this box if your claim is secured by collateral (including a right of setoff)

Brief description of collateral

☐ Real Estate
☐ Motor Vehicle
☐ Other _____

Value of collateral $ _____

Amount of arrearage and other charges at time case filed included in secured claim above if any $ _____

6 UNSECURED PRIORITY CLAIM

☐ Check this box if you have an unsecured priority claim

Specify the priority of the claim

☐ Wages salaries or commissions (up to $4 650) earned within 90 days before filing of the bankruptcy petition or cessation of the Debtor's business whichever is earlier 11 U S C § 507(a)(3)
☐ Contributions to an employee benefit plan 11 U S C § 507(a)(4)
☐ Up to $2 100 of deposits toward purchase lease or rental of property or services for personal family or household use 11 U S C § 507(a)(6)
☐ Alimony maintenance or support owed to a spouse forme spouse or child 11 U S C § 507(a)(7)
☐ Taxes or penalties owed to governmental units 11 U S C § 507(a)(8)
☐ Other Specify applicable paragraph of 11 U S C § 507(a) _____

Amounts are subject to adjustment on 4/1/01 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment

7 CREDITS The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim

8 SUPPORTING DOCUMENTS *Attach copies of supporting documents* such as promissory notes, purchase orders invoices itemized statements of running accounts contracts court judgments mortgages security agreements and evidence of perfection of lien DO NOT SEND ORIGINAL DOCUMENTS If the documents are not available explain If the documents are voluminous attach a summary

9 DATE-STAMPED COPY **To receive an acknowledgment of your claim, please enclose a self-addressed stamped envelope and an additional copy of your claim**

The original of this completed proof of claim form must be sent by mail or hand delivered (FAXES NOT ACCEPTED) so that it is received on or before 4 00 pm, Central Time on May 22, 2003

BY MAIL TO
Bankruptcy Management Corporation
ATTN Conseco Inc Claims
P O BOX 1042
El Segundo CA 90245-1042

BY HAND OR OVERNIGHT DELIVERY TO
Bankruptcy Management Corporation
ATTN Conseco Inc Claims
1330 East Franklin Avenue
El Segundo CA 90245

THIS SPACE FOR COURT USE ONLY

FILED

MAY 23 2003

DATE SIGNED 5-22-03

SIGN and print the name and title if any of the creditor or other person authorized to file this claim (attach copy of power of attorney if any)

Penalty for presenting fraudulent claim is a fine of up to $500 000 or imprisonment for up to 5 years or both 18 U S C

Conseco Finance Corp Claim

4957500343

Name of Debtor Against Which You Assert Your Claim

Check One Box Only

- [x] Conseco Finance Corp (02-49675 CAD)
- [ ] Conseco Finance Servicing Corp (02-49676-CAD)
- [ ] Conseco Agency of Alabama Inc (03 04692-CAD)
- [ ] Conseco Agency Inc (03-04693-CAD)
- [ ] Conseco Agency of Kentucky Inc (03-04694-CAD)
- [ ] Conseco Agency of Nevada Inc (03-04695-CAD)
- [ ] Conseco Agency of New York Inc (03-04696-CAD)
- [ ] Crum-Reed General Agency Inc (03-04697 CAD)
- [ ] Conseco Finance Canada Company (03-04698 CAD)
- [ ] Conseco Finance Canada Holding Company (03-04699 CAD)
- [ ] Conseco Finance Corp Alabama (03 04700-CAD)
- [ ] Conseco Finance Credit Corp (03-04701 CAD)
- [ ] Conseco Finance Consumer Discount Company (03-04702-CAD)
- [ ] Conseco Finance Loan Company (03-04703-CAD)
- [ ] Conseco Finance Net Interest Margin Finance Corp I (03-04704-CAD)
- [ ] Conseco Finance Net Interest Margin Finance Corp II (03-04705-CAD)
- [ ] Green Tree Floorplan Funding Corp (03-04706-CAD)
- [ ] Green Tree Finance Corp - Two (03-04707-CAD)
- [ ] Landmark Manufactured Housing Inc (03-04708-CAD)
- [ ] Rice Park Properties Corporation (03-04709-CAD)

INSTRUCTIONS FOR FILING PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law In particular types of cases or circumstances such as bankruptcy cases that are not filed voluntarily by a debtor there may be exceptions to these general rules

— DEFINITIONS —

Debtor

The person corporation or other entity that has filed a bankruptcy case is called the debtor

Creditor

A creditor is any person corporation or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed

Proof of Claim

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim) This form must be filed with the court appointed Claims Agent Bankruptcy Management Corporation at the address listed on the reverse side of this page

Secured Claim

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property

Examples of liens are a mortgage on real estate and a security interest in a car truck boat television set or other item of property A lien may have been obtained through a court proceeding before a bankruptcy case began in some states a court judgment is a lien In addition to the extent a creditor also owes money to the debtor (has a right of setoff) the creditor's claim may be a secured claim (See also Unsecured Claim)

Unsecured Claim

If a claim is not secured claim it is an unsecured claim A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full

Unsecured Priority Claim

Certain types of unsecured claims are given priority so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims) The most common types of priority claims are listed on the proof of claim form Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as Unsecured Nonpriority Claims

Items to be completed in Proof of Claim form (if not already filled in)

Court, Name of Debtor, and Case Number

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example District of Delaware) the name of the debtor in the bankruptcy case and the bankruptcy case number If you received a notice of the case from the Claims Agent Bankruptcy Management Corporation all of this information is near the top of the notice

Information about Creditor

If not already accurately pre-printed complete the section giving the name address and telephone number of the creditor to whom the debtor owes money or property and the debtor's account number if any If (a) anyone else has already filed a proof of claim relating to this debt (b) if you never received notices from the bankruptcy court about this case (c) if your address differs from that to which the Claims Agent sent this notice or (d) if this proof of claim replaces or amends a proof of claim that was already filed check the appropriate boxes on the form

1 Basis for Claim

Check the type of debt for which the proof of claim is being filed If the type of debt is not listed check 'Other' and briefly describe the type of debt If you were an employee of the debtor fill in your social security number and the dates of work for which you were not paid

2 Date Debt Incurred

Fill in the date when the debt was first owed by the debtor

3 Court Judgments

If you have a court judgment for this debt state the date the court entered the judgment

4 Total Amount of Claim at Time Case Filed

Fill in the total amount of the entire claim If interest or other charges in addition to the principal amount of the claim are included check the appropriate place on the form and attach an itemization of the interest and charges

5 Secured Claim

If your claim is a secured claim check the appropriate boxes in this section You must state the type and value of property that is collateral for the claim attach copies of the documentation of your lien and state the amount past due on the claim as of the date the bankruptcy case was filed A claim may be partly secured and partly unsecured (See DEFINITIONS above)

6 Unsecured Priority Claim

If you have an unsecured priority claim (See DEFINITIONS above) check the appropriate boxes in this section and state the amount entitled to priority A claim may be partly priority and partly nonpriority if for example the claim is more than the amount given priority by the law Check the appropriate place to specify the type of priority claim

7 Credits

By signing this proof of claim you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor

8 Supporting Documents

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or if the documents are too lengthy a summary of those documents If documents are not available you must attach an explanation of why they are not available

Please read — Important information upon completion of this claim form you are certifying that the statements herein are true

Be sure to date the claim and place original signature of claimant or person making the claim for creditor where indicated at the bottom of the claim form Please type or print name of individual under the signature Be sure all items are answered on the claim form If not applicable insert Not Applicable

Return claim form and attachments if any and a second copy with any attachments to the Claims Agent Bankruptcy Management Corporation at the address on the front of this form

1 Tortious conduct in sale or charging for collateral protection insurance in conjunction with financing of mobile homes Creditors are plaintiffs in a certified national class in the Circuit Court of Waupaca County, State of Wisconsin, cause no 96-CV-153, certification order being dated April 26 1996, a copy of which is attached Certification has been vacated as to Class B and C

2 Date debt incurred varies from class member to class member and was incurred on multiple dates

3 Court has certified a national class, however, decision on the merits of the claim has not been rendered

4 Based on pretrial discovery, the total amount of unsecured claim on behalf of the entire class is $32,760,000

8 Attached is a copy of the class certification order

Claim is asserted against Conseco Finance Corp

Claim is asserted in conjunction with claim by other class members as a common claim of the class This schedule is attached to the claim forms filed by other class representatives

Damages calculations

- 3,276 forced placements of property insurance by defendant in the State of Wisconsin during the time period from 1990 to 2000
- Wisconsin represents 2 percent of the United States population
- Pro-rated this represents 163,800 forced placements in the United States by the defendant during this time period This figure is calculated based on the actual figure for Wisconsin placements provided in discovery
- Assuming average damages per forced placement at $200, this results in an aggregate damage of $32,760,000

Executed by
J W Phebus
Attorney at Law for Claimant
Phebus & Koester
136 West Main Street
Urbana, Illinois 61801
(217) 337-1400
F \DOCS\JOE\CPI\wisconsin 2\claim form doc

STATE OF WISCONSIN CIRCUIT COURT WAUPACA COUNTY

LAWRENCE ARIZIVINO, BRENDA ARIZIVINO, JOHN LOM, EVELYN J WATKINS, and DENISE ELIAS,	)	
Plaintiffs,	)	
vs	)	No 96-CV-153 Class Action
GREEN TREE FINANCIAL CORPORATION, GREEN TREE ACCEPTANCE, INC , GREEN TREE AGENCY, INC , AMERICAN BANKERS INSURANCE GROUP, INC , AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA FOREMOST CORPORATION OF AMERICA, and FOREMOST INSURANCE COMPANY,	)	
Defendants	)	

CLASS CERTIFICATION ORDER

THIS CAUSE COMING ON TO BE HEARD on the Class Action Complaint and on the Motion for Certification thereof, and the Court having considered the pleadings memorandum of law, and exhibits on file herein and being fully advised into the premise finds that class certification should be granted and that

1 The named parties have a right or interest in common with the persons represented,

2 The named parties will fairly represent the interests and rights involved so that the issues will fairly and honestly be tried,

3 It would be impractical to bring all interested persons before this Court,

4 A class action is the superior method to adjudicate this controversy, and

5 The Plaintiffs have retained counsel with experience in prosecuting class actions who will fairly and adequately represent the class

ACCORDINGLY IT IS HEREBY ORDERED that this matter is conditionally certified as a national class action, pursuant to Section 803 08 of the Wisconsin statutes, with the Classes being defined as follows

A **Class A** As to Green Tree, all persons who had loans or who co-signed or guaranteed loans with or assigned to Green Tree secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm/contractor equipment, motorcycles, or other personal property, in regard to which loan a defendant placed collateral protection insurance on the property

B **Class B.** As to American Bankers, all persons who had loans with, or who co-signed or guaranteed loans with, or assigned to, a financial institution secured by collateral in the form of automobiles, trucks motor homes, mobile homes, boats, recreational vehicles, farm equipment, contractor equipment, motorcycles or other personal property who were charged for collateral protection insurance and related charges pursuant to policies provided by American Bankers for which insurance a premium greater than commercially appropriate was charged as a result of American Bankers' relationship with the lending institution

C **Class C:** As to Foremost, all persons who had loans with, or who co-signed or guaranteed loans with, or assigned to, a financial institution secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm equipment contractor equipment motorcycles or other personal property who were charged for collateral protection insurance and related charges pursuant to policies provided by Foremost for which insurance a premium greater than commercially appropriate was charged as a result of Foremost's relationship with the lending institution

Excluded from the class are

A Defendants, any parent, subsidiary, affiliate, or controlled person of a Defendant, the officers, directors, agents, servants, or employees of the Defendants, and the members of the immediate family of any such person

B There are intrastate state class actions pending in the following states as to Green Tree Alabama, Florida, Illinois, Louisiana, Mississippi, Missouri, Oklahoma and Texas Accordingly, residents of those states are excluded from Class A unless they affirmatively opt in to the class in this cause (In the event an intrastate certification has not occurred prior to the trial of this cause the court may amend the class by deleting all or part of this exclusion)

C There are intrastate class actions pending in the following states as to American Bankers Alabama, Florida, Illinois and Mississippi Accordingly,

residents of those states are excluded from Class B unless they affirmatively opt in to the class in this cause. (In the event an intrastate certification has not occurred prior to the trial of this cause, the court may amend the class by deleting all or part of this exclusion)

D There is an intrastate class action pending in Illinois as to Foremost. Accordingly, residents of this state are excluded from Class C unless they affirmatively opt in to the class in this cause (In the event an intrastate certification has not occurred prior to the trial of this cause, the court may amend the class by deleting all or part of this exclusion)

E All persons who prior to the date of filing of the Complaint herein have filed an individual suit against one of the defendants challenging the practices which are the subject matter of this litigation

F. All persons who timely opt out of this proceeding

Among the issues to be determined are without limitation, whether Defendants failed to act in good faith toward the class members in the procurement and purchase of collateral protection insurance, whether Defendants' breaches of fiduciary duties to all class members entitles them to a civil remedy; whether Defendants engaged in a uniform and systematic fraud in the inducement of its boilerplate contracts with the class members, and whether Defendants violated various applicable consumer statutes in their overall scheme to overcharge customers for collateral protection insurance and, if so, the amount of compensatory and punitive damages the class members are entitled.

This is a conditional certification order, and accordingly, the court reserves the right to modify the class definition or otherwise modify this order and to vacate this order

Entered this 26th day of April, 1996

JUDGE

TAP ND CLIENTS CPI-GREENTREE ARIZIVIN ORD*

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

PROOF OF CLAIM

Name of Debtor Against Which You Assert Your Claim

YOU MUST SELECT A DEBTOR AGAINST WHOM YOU ASSERT YOUR CLAIM YOU SELECT A DEBTOR BY CHECKING ONE BOX ON THE OTHER SIDE OF THIS NOTICE NOTE Check one box only Creditors holding claims against more than one Debtor must file a separate claim in the case of each Debtor against whom the creditor asserts a claim A creditor will be bound by the Debtor named in its proof of claim

03103104119772

YOUR CLAIM IS SCHEDULED AS

CONSECO FINANCE CORP (02-49676 CAD)

UNKNOWN UNSECURED CONTINGENT DISPUTED UNLIQUIDATED

NOTE This form should not be used to make a claim for an administrative expense arising after the commencement of the case A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.

Name of Creditor and Address

03103104119772

JOHN LOM
C/O JW PHEBUS
PHEBUS & WINKELMAN
PO BOX 1008
URBANA IL 61803-1008

Creditor Telephone Number ( )

☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim Attach copy of statement giving particulars

☐ **Check box if you have never received any notices from the bankruptcy court in this case**

☐ Check box if this address differs from the address on the envelope sent to you by the court

The amounts reflected above if any constitute your claim as scheduled by the Debtor If you agree with the amounts set forth herein and have no other claim against the Debtor you do not need to file this proof of claim EXCEPT as stated below

If the amounts shown above are listed as Contingent Unliquidated or Disputed a proof of claim must be filed

If you have already filed a proof of claim with the Bankruptcy Court or BMC you do not need to file

CREDITOR TAX I D #

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR

Check here if this claim ☐ replaces or ☐ amends a previously filed claim dated _____

1 BASIS FOR CLAIM See attached

☐ Goods sold
☐ Services performed
☐ Money loaned
☐ Bondholder
☐ Personal injury/wrongful death
☐ Taxes
☐ Other (describe briefly)
☐ Retiree benefits as defined in 11 U S C § 1114(a
☐ Wages salaries and compensation (Fill out below)

Your social security number _____

Unpaid compensation for services performed from _____ (date) to _____ (date)

2 DATE DEBT WAS INCURRED See attached

3 IF COURT JUDGMENT, DATE OBTAINED See attached

4 TOTAL AMOUNT OF CLAIM See attached

$ _____ (unsecured) $ _____ (secured) $ _____ (unsecured priority) $ _____ (total)

If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below

☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim Attach itemized statement of all interest or additional charges

5 SECURED CLAIM

☐ Check this box if your claim is secured by collateral (including a right of setoff)

Brief description of collateral

☐ Real Estate
☐ Motor Vehicle
☐ Other _____

Value of collateral $ _____

Amount of arrearage and other charges at time case filed included in secured claim above if any $ _____

6 UNSECURED PRIORITY CLAIM

☐ Check this box if you have an unsecured priority claim

Specify the priority of the claim

☐ Wages salaries or commissions (up to $4 650*) earned within 90 days before filing of the bankruptcy petition or cessation of the Debtor's business whichever is earlier 11 U S C § 507(a)(3)
☐ Contributions to an employee benefit plan 11 U S C § 507(a)(4)
☐ Up to $2 100* of deposits toward purchase lease or rental of property or services for personal family or household use 11 U S C § 507(a)(6)
☐ Alimony maintenance or support owed to a spouse former spouse or child 11 U S C § 507(a)(7)
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☐ Other Specify applicable paragraph of 11 U S C § 507(a) _____

Amounts are subject to adjustment on 4/1/01 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment

7 CREDITS The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim

8 SUPPORTING DOCUMENTS *Attach copies of supporting documents* such as promissory notes purchase orders invoices itemized statements of running accounts contracts court judgments mortgages security agreements and evidence of perfection of lien DO NOT SEND ORIGINAL DOCUMENTS If the documents are not available explain If the documents are voluminous attach a summary

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ATTN Conseco Inc Claims
P O BOX 1042
El Segundo CA 90245-1042

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ATTN Conseco Inc Claims
1330 East Franklin Avenue
El Segundo CA 90245

THIS SPACE FOR COURT

FILED

MAY 23 2003

BMC

DATE SIGNED 5-22-03

SIGN and print the name and title if any of the creditor or other person authorized to file this claim (attach copy of power of attorney if any)

Penalty for presenting fraudulent claim is a fine of up to $500 000 or imprisonment for up to 5 years or both 18 U S C

Conseco Finance Corp Claim

49676003174

Name of Debtor Against Which You Assert Your Claim
Check One Box Only

- [x] Conseco Finance Corp (02-49675-CAD)
- [ ] Conseco Finance Servicing Corp (02-49676-CAD)
- [ ] Conseco Agency of Alabama Inc (03-04692 CAD)
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INSTRUCTIONS FOR FILING PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law In particular types of cases or circumstances such as bankruptcy cases that are not filed voluntarily by a debtor there may be exceptions to the general rules

— DEFINITIONS —

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Creditor

A creditor is any person corporation or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed

Proof of Claim

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim) This form must be filed with the court appointed Claims Agent Bankruptcy management Corporation at the address listed on the reverse side of this page

Secured Claim

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property

Examples of liens are a mortgage on real estate and a security interest in a car truck boat television set or other item of property A lien may have been obtained through a court proceeding before a bankruptcy case began In some states a court judgment is a lien In addition to the extent a creditor also owes money to the debtor (has a right of setoff) the creditor's claim may be a secured claim (See also Unsecured Claim)

Unsecured Claim

If a claim is not secured claim it is an unsecured claim A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full

Unsecured Priority Claim

Certain types of unsecured claims are given priority so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims) The most common types of priority claims are listed on the proof of claim form Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as Unsecured Nonpriority Claims

Items to be completed in Proof of Claim form (if not already filled in)

Court, Name of Debtor, and Case Number

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example District of Delaware) the name of the debtor in the bankruptcy case and the bankruptcy case number If you received a notice of the case from the Claims Agent Bankruptcy Management Corporation all of this information is near the top of the notice

Information about Creditor

If not already accurately pre-printed complete the section giving the name address and telephone number of the creditor to whom the debtor owes money or property and the debtor's account number if any If (a) anyone else has already filed a proof of claim relating to the debt (b) if you never received notices from the bankruptcy court about this case (c) if your address differs from that to which the Claims Agent sent the notice or (d) if this proof of claim replaces or amends a proof of claim that was already filed check the appropriate boxes on the form

1 Basis for Claim

Check the type of debt for which the proof of claim is being filed If the type of debt is not listed check Other and briefly describe the type of debt If you were an employee of the debtor fill in your social security number and the dates of work for which you were not paid

2 Date Debt Incurred

Fill in the date when the debt was first owed by the debtor

3 Court Judgments

If you have a court judgment for this debt state the date the court entered the judgment

4 Total Amount of Claim at Time Case Filed

Fill in the total amount of the entire claim If interest or other charges in addition to the principal amount of the claim are included check the appropriate place on the form and attach an itemization of the interest and charges

5 Secured Claim

If your claim is a secured claim check the appropriate boxes in this section You must state the type and value of property that is collateral for the claim attach copies of the documentation of your lien and state the amount past due on the claim as of the date the bankruptcy case was filed A claim may be partly secured and partly unsecured (See DEFINITIONS above)

6 Unsecured Priority Claim

If your claim is an unsecured priority claim (See DEFINITIONS above) check the appropriate boxes in this section and state the amount entitled to priority A claim may be partly priority and partly nonpriority if for example the claim is more than the amount given priority by the law Check the appropriate place to specify the type of priority claim

7 Credits

By signing this proof of claim you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor

8 Supporting Documents

You must attach to the proof of claim form copies of documents that show the debtor owes the debt claimed or if the documents are too lengthy a summary of those documents If documents are not available you must attach an explanation of why they are not available

Please read – important information upon completion of this claim form you are certifying that the statements herein are true

Be sure to date the claim and place original signature of claimant or person making the claim for creditor where indicated at the bottom of the claim form Please type or print name of individual under the signature Be sure all items are answered on the claim form If not applicable insert Not Applicable

Return claim form and attachments if any and a second copy with any attachments to the Claims Agent, Bankruptcy Management Corporation at the address on the front of this form

1 Tortious conduct in sale or charging for collateral protection insurance in conjunction with financing of mobile homes Creditors are plaintiffs in a certified national class in the Circuit Court of Waupaca County, State of Wisconsin, cause no 96-CV-153, certification order being dated April 26, 1996, a copy of which is attached Certification has been vacated as to Class B and C

2 Date debt incurred varies from class member to class member and was incurred on multiple dates

3 Court has certified a national class, however, decision on the merits of the claim has not been rendered

4 Based on pretrial discovery, the total amount of unsecured claim on behalf of the entire class is $32,760,000

8 Attached is a copy of the class certification order

Claim is asserted against Conseco Finance Corp

Claim is asserted in conjunction with claim by other class members as a common claim of the class This schedule is attached to the claim forms filed by other class representatives

Damages calculations

- 3,276 forced placements of property insurance by defendant in the State of Wisconsin during the time period from 1990 to 2000
- Wisconsin represents 2 percent of the United States population
- Pro-rated this represents 163,800 forced placements in the United States by the defendant during this time period This figure is calculated based on the actual figure for Wisconsin placements provided in discovery
- Assuming average damages per forced placement at $200, this results in an aggregate damage of $32,760,000

Executed by
J W Phebus
Attorney at Law for Claimant
Phebus & Koester
136 West Main Street
Urbana, Illinois 61801
(217) 337-1400
F \DOCS\JOE\CPI\wisconsin 3\claim form doc

STATE OF WISCONSIN CIRCUIT COURT WAUPACA COUNTY

LAWRENCE ARIZIVINO, BRENDA ARIZIVINO, JOHN LOM EVELYN J WATKINS, and DENISE ELIAS,	)	
Plaintiffs,	)	
vs	)	No 96-CV-153 Class Action
GREEN TREE FINANCIAL CORPORATION, GREEN TREE ACCEPTANCE, INC, GREEN TREE AGENCY, INC, AMERICAN BANKERS INSURANCE GROUP, INC, AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA, FOREMOST CORPORATION OF AMERICA, and FOREMOST INSURANCE COMPANY,	)	
Defendants	)	

CLASS CERTIFICATION ORDER

THIS CAUSE COMING ON TO BE HEARD on the Class Action Complaint and on the Motion for Certification thereof, and the Court having considered the pleadings, memorandum of law, and exhibits on file herein and being fully advised into the premise finds that class certification should be granted and that

1 The named parties have a right or interest in common with the persons represented,

2 The named parties will fairly represent the interests and rights involved so that the issues will fairly and honestly be tried,

3 It would be impractical to bring all interested persons before this Court,

4 A class action is the superior method to adjudicate this controversy, and

5 The Plaintiffs have retained counsel with experience in prosecuting class actions who will fairly and adequately represent the class

ACCORDINGLY, IT IS HEREBY ORDERED that this matter is conditionally certified as a national class action, pursuant to Section 803 08 of the Wisconsin statutes, with the Classes being defined as follows

A **Class A** As to Green Tree, all persons who had loans or who co-signed or guaranteed loans with or assigned to Green Tree secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm/contractor equipment, motorcycles, or other personal property, in regard to which loan a defendant placed collateral protection insurance on the property

B **Class B** As to American Bankers, all persons who had loans with, or who co-signed or guaranteed loans with, or assigned to, a financial institution secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm equipment, contractor equipment, motorcycles or other personal property who were charged for collateral protection insurance and related charges pursuant to policies provided by American Bankers for which insurance a premium greater than commercially appropriate was charged as a result of American Bankers' relationship with the lending institution

C **Class C.** As to Foremost, all persons who had loans with, or who co-signed or guaranteed loans with, or assigned to, a financial institution secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm equipment, contractor equipment, motorcycles or other personal property who were charged for collateral protection insurance and related charges pursuant to policies provided by Foremost for which insurance a premium greater than commercially appropriate was charged as a result of Foremost's relationship with the lending institution

Excluded from the class are

A Defendants, any parent, subsidiary, affiliate, or controlled person of a Defendant, the officers, directors, agents, servants, or employees of the Defendants, and the members of the immediate family of any such person

B There are intrastate state class actions pending in the following states as to Green Tree Alabama, Florida, Illinois, Louisiana, Mississippi, Missouri, Oklahoma and Texas Accordingly, residents of those states are excluded from Class A unless they affirmatively opt in to the class in this cause (In the event an intrastate certification has not occurred prior to the trial of this cause, the court may amend the class by deleting all or part of this exclusion)

C There are intrastate class actions pending in the following states as to American Bankers Alabama, Florida, Illinois and Mississippi Accordingly,

residents of those states are excluded from Class B unless they affirmatively opt in to the class in this cause. (In the event an intrastate certification has not occurred prior to the trial of this cause the court may amend the class by deleting all or part of this exclusion)

D There is an intrastate class action pending in Illinois as to Foremost Accordingly, residents of this state are excluded from Class C unless they affirmatively opt in to the class in this cause (In the event an intrastate certification has not occurred prior to the trial of this cause, the court may amend the class by deleting all or part of this exclusion)

E All persons who prior to the date of filing of the Complaint herein have filed an individual suit against one of the defendants challenging the practices which are the subject matter of this litigation

F. All persons who timely opt out of this proceeding

Among the issues to be determined are without limitation, whether Defendants failed to act in good faith toward the class members in the procurement and purchase of collateral protection insurance; whether Defendants' breaches of fiduciary duties to all class members entitles them to a civil remedy; whether Defendants engaged in a uniform and systematic fraud in the inducement of its boilerplate contracts with the class members and whether Defendants violated various applicable consumer statutes in their overall scheme to overcharge customers for collateral protection insurance and, if so, the amount of compensatory and punitive damages the class members are entitled

This is a conditional certification order, and accordingly, the court reserves the right to modify the class definition or otherwise modify this order and to vacate this order

Entered this 26th day of April, 1996

JUDGE

TAP HD CLIENTS CPI GREENTREE ARIZTVIN ORD2

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

PROOF OF CLAIM

Name of Debtor Against Which You Assert Your Claim

YOU MUST SELECT A DEBTOR AGAINST WHOM YOU ASSERT YOUR CLAIM YOU SELECT A DEBTOR BY CHECKING ONE BOX ON THE OTHER SIDE OF THIS NOTICE NOTE Check one box only Creditors holding claims against more than one Debtor must file a separate claim in the case of each Debtor against whom the creditor asserts a claim A creditor will be bound by the Debtor named in its proof of claim

03103104119774

YOUR CLAIM IS SCHEDULED AS

CONSECO FINANCE CORP (02-49675 CAD)

UNKNOWN UNSECURED CONTINGENT DISPUTED UNLIQUIDATED

The amounts reflected above if any constitute your claim as scheduled by the Debtor If you agree with the amounts set forth herein and have no other claim against the Debtor you do not need to file this proof of claim EXCEPT as stated below

If the amounts shown above are listed as Contingent Unliquidated or Disputed a proof of claim must be filed

If you have already filed a proof of claim with the Bankruptcy Court or BMC you do not need to file

NOTE This form should not be used to make a claim for an administrative expense arising after the commencement of the case A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503

Name of Creditor and Address

03103104119774

TINA EVANS
C/O JW PHEBUS
PHEBUS & WINKELMAN
PO BOX 1008
URBANA IL 61803-1008

Creditor Telephone Number ( )

☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim Attach copy of statement giving particulars

☐ **Check box if you have never received any notices from the bankruptcy court in this case**

☐ Check box if this address differs from the address on the envelope sent to you by the court

CREDITOR TAX I D # | ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR | Check here if this claim ☐ replaces or ☐ amends a previously filed claim dated _____

1 BASIS FOR CLAIM See attached

☐ Goods sold
☐ Services performed
☐ Money loaned
☐ Bondholder
☐ Personal injury/wrongful death
☐ Taxes
☐ Other (describe briefly)
☐ Retiree benefits as defined in 11 U S C § 1114(a
☐ Wages salaries and compensation (Fill out below)

Your social security number _____

Unpaid compensation for services performed from _____ (date) to _____ (date)

2 DATE DEBT WAS INCURRED See attached

3 IF COURT JUDGMENT, DATE OBTAINED See attached

4 TOTAL AMOUNT OF CLAIM See attached

$ _____ (unsecured) $ _____ (secured) $ _____ (unsecured priority) $ _____ (total)

If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below

☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim Attach itemized statement of all interest or additional charges

5 SECURED CLAIM

☐ Check this box if your claim is secured by collateral (including a right of setoff)

Brief description of collateral

☐ Real Estate
☐ Motor Vehicle
☐ Other _____

Value of collateral $ _____

Amount of arrearage and other charges at time case filed included in secured claim above if any $ _____

6 UNSECURED PRIORITY CLAIM

☐ Check this box if you have an unsecured priority claim

Specify the priority of the claim

☐ Wages salaries or commissions (up to $4 650*) earned within 90 days before filing of the bankruptcy petition or cessation of the Debtor s business whichever is earlier 11 U S C § 507(a)(3)
☐ Contributions to an employee benefit plan 11 U S C § 507(a)(4)
☐ Up to $2 100* of deposits toward purchase lease or rental of property or services for personal family or household use - 11 U S C § 507(a)(6)
☐ Alimony maintenance or support owed to a spouse former spouse or child 11 U S C § 507(a)(7)
☐ Taxes or penalties owed to governmental units 11 U S C § 507(a)(8)
☐ Other Specify applicable paragraph of 11 U S C § 507(a) _____

Amounts are subject to adjustment on 4/1/01 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment

7 CREDITS The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim

8 SUPPORTING DOCUMENTS *Attach copies of supporting documents* such as promissory notes purchase orders invoices itemized statements of running accounts contracts court judgments mortgages security agreements and evidence of perfection of lien DO NOT SEND ORIGINAL DOCUMENTS If the documents are not available explain If the documents are voluminous attach a summary

9 DATE-STAMPED COPY **To receive an acknowledgment of your claim, please enclose a self addressed stamped envelope and an additional copy of your claim**

The original of this completed proof of claim form must be sent by mail or hand delivered (FAXES NOT ACCEPTED) so that it is received on or before 4 00 pm, Central Time on May 22, 2003

BY MAIL TO
Bankruptcy Management Corporation
ATTN Conseco Inc Claims
P O BOX 1042
El Segundo CA 90245-1042

BY HAND OR OVERNIGHT DELIVERY TO
Bankruptcy Management Corporation
ATTN Conseco Inc Claims
1330 East Franklin Avenue
El Segundo CA 90245

THIS SPACE FOR COURT

FILED

MAY 28 2003

BMC

Conseco Finance Corp Claim

49675003175

DATE SIGNED 5-22-03

SIGN and print the name and title if any of the creditor or other person authorized to file this claim (attach copy of power of attorney if any)

Penalty for presenting fraudulent claim is a fine of up to $500 000 or imprisonment for up to 5 years or both 18 U S C

Name of Debtor Against Which You Assert Your Claim
Check One Box Only

- [x] Conseco Finance Corp (02-49675-CAD)
- [ ] Conseco Finance Servicing Corp (02-49676-CAD)
- [ ] Conseco Agency of Alabama Inc (03-04692-CAD)
- [ ] Conseco Agency Inc (03-04693-CAD)
- [ ] Conseco Agency of Kentucky Inc (03-04694 CAD)
- [ ] Conseco Agency of Nevada Inc (03-04695 CAD)
- [ ] Conseco Agency of New York Inc (03-04696-CAD)
- [ ] Crum-Reed General Agency Inc (03-04697-CAD)
- [ ] Conseco Finance Canada Company (03-04698-CAD)
- [ ] Conseco Finance Canada Holding Company (03-04699-CAD)
- [ ] Conseco Finance Corp - Alabama (03-04700-CAD)
- [ ] Conseco Finance Credit Corp (03 04701-CAD)
- [ ] Conseco Finance Consumer Discount Company (03-04702 CAD)
- [ ] Conseco Finance Loan Company (03-04703 CAD)
- [ ] Conseco Finance Net Interest Margin Finance Corp I (03 04704 CAD)
- [ ] Conseco Finance Net Interest Margin Finance Corp II (03-04705-CAD)
- [ ] Green Tree Floorplan Funding Corp (03-04706-CAD)
- [ ] Green Tree Finance Corp - Two (03-04707-CAD)
- [ ] Landmark Manufactured Housing Inc (03-04708-CAD)
- [ ] Rice Park Properties Corporation (03 04709-CAD)

INSTRUCTIONS FOR FILING PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law In particular types of cases or circumstances such as bankruptcy cases that are not filed voluntarily by a debtor there may be exceptions to the general rules

— DEFINITIONS —

Debtor

The person corporation or other entity that has filed a bankruptcy case is called the debtor

Creditor

A creditor is any person corporation or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed

Proof of Claim

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim) This form must be filed with the court appointed Claims Agent Bankruptcy management Corporation at the address listed on the reverse side of this page

Secured Claim

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property

Examples of liens are a mortgage on real estate and a security interest in a car truck boat television set or other item of property A lien may have been obtained through a court proceeding before a bankruptcy case began in some states a court judgment is a lien In addition to the extent a creditor also owes money to the debtor (has a right of setoff) the creditor's claim may be a secured claim (See also Unsecured Claim)

Unsecured Claim

If a claim is not secured claim it is an unsecured claim A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full

Unsecured Priority Claim

Certain types of unsecured claims are given priority so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims) The most common types of priority claims are listed on the proof of claim form Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as Unsecured Nonpriority Claims

Items to be completed in Proof of Claim form (if not already filled in)

Court, Name of Debtor, and Case Number

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example District of Delaware) the name of the debtor in the bankruptcy case and the bankruptcy case number If you received a notice of the case from the Claims Agent Bankruptcy Management Corporation all of this information is near the top of the notice

Information about Creditor

If not already accurately pre printed complete the section giving the name address and telephone number of the creditor to whom the debtor owes money or property and the debtor's account number if any If (a) anyone else has already filed a proof of claim relating to this debt (b) if you never received notices from the bankruptcy court about the case (c) if your address differs from that to which the Claims Agent sent this notice or (d) if this proof of claim replaces or amends a proof of claim that was already filed check the appropriate boxes on the form

1 Basis for Claim

Check the type of debt for which the proof of claim is being filed If the type of debt is not listed check Other and briefly describe the type of debt If you were an employee of the debtor fill in your social security number and the dates of work for which you were not paid

2 Date Debt Incurred

Fill in the date when the debt was first owed by the debtor

3 Court Judgments

If you have a court judgment for this debt state the date the court entered the judgment

4 Total Amount of Claim at Time Case Filed

Fill in the total amount of the entire claim If interest or other charges in addition to the principal amount of the claim are included check the appropriate place on the form and attach an itemization of the interest and charges

5 Secured Claim

If your claim is a secured claim check the appropriate boxes in this section You must state the type and value of property that is collateral for the claim attach copies of the documentation of your lien and state the amount past due on the claim as of the date the bankruptcy case was filed A claim may be partly secured and partly unsecured (See DEFINITIONS above)

6 Unsecured Priority Claim

If your claim is an unsecured priority claim (See DEFINITIONS above) check the appropriate boxes in this section and state the amount entitled to priority A claim may be partly priority and partly nonpriority if for example the claim is more than the amount given priority by the law Check the appropriate place to specify the type of priority claim

7 Credits

By signing this proof of claim you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor

8 Supporting Documents

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or if the documents are too lengthy a summary of those documents If documents are not available you must attach an explanation of why they are not available

Please read – Important information upon completion of this claim form you are certifying that the statements herein are true

Be sure to date the claim and place original signature of claimant or person making the claim for creditor where indicated at the bottom of the claim form Please type or print name of individual under the signature Be sure all items are answered on the claim form If not applicable insert Not Applicable

Return claim form and attachments if any and a second copy with any attachments to the Claims Agent Bankruptcy Management Corporation at the address on the front of this form

1 Tortious conduct in sale or charging for collateral protection insurance in conjunction with financing of mobile homes Creditors are plaintiffs in a certified national class in the Circuit Court of Waupaca County, State of Wisconsin, cause no 96-CV-153, certification order being dated April 26, 1996, a copy of which is attached Certification has been vacated as to Class B and C

2 Date debt incurred varies from class member to class member and was incurred on multiple dates

3 Court has certified a national class, however, decision on the merits of the claim has not been rendered

4 Based on pretrial discovery, the total amount of unsecured claim on behalf of the entire class is $32,760,000

8 Attached is a copy of the class certification order

Claim is asserted against Conseco Finance Corp

Claim is asserted in conjunction with claim by other class members as a common claim of the class This schedule is attached to the claim forms filed by other class representatives

Damages calculations

- 3,276 forced placements of property insurance by defendant in the State of Wisconsin during the time period from 1990 to 2000
- Wisconsin represents 2 percent of the United States population
- Pro-rated this represents 163,800 forced placements in the United States by the defendant during this time period This figure is calculated based on the actual figure for Wisconsin placements provided in discovery
- Assuming average damages per forced placement at $200, this results in an aggregate damage of $32,760,000

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F \DOCS\JOE\CPI\wisconsin 2\claim form doc

STATE OF WISCONSIN CIRCUIT COURT WAUPACA COUNTY

LAWRENCE ARIZIVINO, BRENDA ARIZIVINO, JOHN LOM, EVELYN J WATKINS, and DENISE ELIAS, Plaintiffs, vs GREEN TREE FINANCIAL CORPORATION, GREEN TREE ACCEPTANCE, INC , GREEN TREE AGENCY, INC , AMERICAN BANKERS INSURANCE GROUP, INC , AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA, FOREMOST CORPORATION OF AMERICA, and FOREMOST INSURANCE COMPANY, Defendants	)	No 96-CV-153 Class Action

CLASS CERTIFICATION ORDER

THIS CAUSE COMING ON TO BE HEARD on the Class Action Complaint and on the Motion for Certification thereof, and the Court having considered the pleadings, memorandum of law, and exhibits on file herein and being fully advised into the premise finds that class certification should be granted and that

1 The named parties have a right or interest in common with the persons represented,

2 The named parties will fairly represent the interests and rights involved so that the issues will fairly and honestly be tried,

3 It would be impractical to bring all interested persons before this Court,

4 A class action is the superior method to adjudicate this controversy, and

5 The Plaintiffs have retained counsel with experience in prosecuting class actions who will fairly and adequately represent the class

ACCORDINGLY, IT IS HEREBY ORDERED that this matter is conditionally certified as a national class action, pursuant to Section 803 08 of the Wisconsin statutes, with the Classes being defined as follows

A **Class A·** As to Green Tree, all persons who had loans or who co-signed or guaranteed loans with or assigned to Green Tree secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm/contractor equipment, motorcycles, or other personal property, in regard to which loan a defendant placed collateral protection insurance on the property

B **Class B:** As to American Bankers, all persons who had loans with, or who co-signed or guaranteed loans with, or assigned to, a financial institution secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm equipment, contractor equipment, motorcycles or other personal property who were charged for collateral protection insurance and related charges pursuant to policies provided by American Bankers for which insurance a premium greater than commercially appropriate was charged as a result of American Bankers' relationship with the lending institution

C **Class C·** As to Foremost, all persons who had loans with, or who co-signed or guaranteed loans with, or assigned to, a financial institution secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm equipment, contractor equipment, motorcycles or other personal property who were charged for collateral protection insurance and related charges pursuant to policies provided by Foremost for which insurance a premium greater than commercially appropriate was charged as a result of Foremost's relationship with the lending institution

Excluded from the class are

A Defendants, any parent, subsidiary, affiliate, or controlled person of a Defendant, the officers, directors, agents, servants, or employees of the Defendants, and the members of the immediate family of any such person

B There are intrastate state class actions pending in the following states as to Green Tree Alabama, Florida, Illinois, Louisiana, Mississippi, Missouri, Oklahoma and Texas Accordingly, residents of those states are excluded from Class A unless they affirmatively opt in to the class in this cause (In the event an intrastate certification has not occurred prior to the trial of this cause, the court may amend the class by deleting all or part of this exclusion)

C There are intrastate class actions pending in the following states as to American Bankers Alabama, Florida, Illinois and Mississippi Accordingly,

residents of those states are excluded from Class B unless they affirmatively opt in to the class in this cause. (In the event an intrastate certification has not occurred prior to the trial of this cause, the court may amend the class by deleting all or part of this exclusion)

D There is an intrastate class action pending in Illinois as to Foremost Accordingly, residents of this state are excluded from Class C unless they affirmatively opt in to the class in this cause (In the event an intrastate certification has not occurred prior to the trial of this cause, the court may amend the class by deleting all or part of this exclusion)

E All persons who prior to the date of filing of the Complaint herein have filed an individual suit against one of the defendants challenging the practices which are the subject matter of this litigation

F All persons who timely opt out of this proceeding

Among the issues to be determined are without limitation, whether Defendants failed to act in good faith toward the class members in the procurement and purchase of collateral protection insurance, whether Defendants' breaches of fiduciary duties to all class members entitles them to a civil remedy; whether Defendants engaged in a uniform and systematic fraud in the inducement of its boilerplate contracts with the class members, and whether Defendants violated various applicable consumer statutes in their overall scheme to overcharge customers for collateral protection insurance and, if so, the amount of compensatory and punitive damages the class members are entitled.

This is a conditional certification order, and accordingly, the court reserves the right to modify the class definition or otherwise modify this order and to vacate this order

Entered this 26th day of April, 1996

JUDGE

TAP HD CLIENTS CPI GREENTREE ARBITRIN ORD2

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re	)	Chapter 11
	)	
Conseco, Inc , *et al* ,	)	Case no 02B49672
	)	Honorable Carol A Doyle
Debtors	)	(Jointly Administered)

CLAIMANTS' MOTION FOR EXTENSION OF TIME TO FILE PROOF OF CLAIM

COME NOW Claimants James Woodward, Brenda Woodward, Kevin Clarkson, Patricia Clarkson, John Lom, and Tina Evans, by Joseph W Phebus, one of their attorneys, and move for an extension of time to file their Proof of Claim herein, and in support thereof state that Proof of Claim was sent by each of them by overnight delivery to Bankruptcy Management Corporation, Attention Conseco, Inc claims, 1330 East Franklin Avenue, El Segundo, California 90245, on May 22, 2003 A copy of each of Proof of Claim is attached hereto for reference purposes

JAMES WOODWARD, *et al*, Claimants, by
one of their attorneys, Joseph W Phebus

BY _____
JOSEPH W PHEBUS

PHEBUS & KOESTER
136 West Main Street
Urbana, Illinois 61801
(217) 337-1400
F \DOCS\JOE\CPI\wisconsin 2\misc doc

04/26/96

STATE OF WISCONSIN CIRCUIT COURT WAUPACA COUNTY

LAWRENCE ARIZIVINO, BRENDA ARIZIVINO, JOHN LOM, EVELYN J. WATKINS, and DENISE ELIAS, Plaintiffs, vs. GREEN TREE FINANCIAL CORPORATION; GREEN TREE ACCEPTANCE, INC.; GREEN TREE AGENCY, INC.; AMERICAN BANKERS INSURANCE GROUP, INC.; AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA; FOREMOST CORPORATION OF AMERICA; and FOREMOST INSURANCE COMPANY, Defendants.	)	No. 96 -CV-153 Class Action

CLASS CERTIFICATION ORDER

THIS CAUSE COMING ON TO BE HEARD on the Class Action Complaint and on the Motion for Certification thereof, and the Court having considered the pleadings, memorandum of law, and exhibits on file herein and being fully advised into the premise finds that class certification should be granted and that:

1. The named parties have a right or interest in common with the persons represented;

2. The named parties will fairly represent the interests and rights involved so that the issues will fairly and honestly be tried;

3. It would be impractical to bring all interested persons before this Court;

4. A class action is the superior method to adjudicate this controversy; and

5. The Plaintiffs have retained counsel with experience in prosecuting class actions who will fairly and adequately represent the class.

EXHIBIT B

ACCORDINGLY, IT IS HEREBY ORDERED that this matter is conditionally certified as a national class action, pursuant to Section 803.08 of the Wisconsin statutes, with the Classes being defined as follows:

A. **Class A:** As to Green Tree, all persons who had loans or who co-signed or guaranteed loans with or assigned to Green Tree secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm/contractor equipment, motorcycles, or other personal property, in regard to which loan a defendant placed collateral protection insurance on the property.

B. **Class B:** As to American Bankers, all persons who had loans with, or who co-signed or guaranteed loans with, or assigned to, a financial institution secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm equipment, contractor equipment, motorcycles or other personal property who were charged for collateral protection insurance and related charges pursuant to policies provided by American Bankers for which insurance a premium greater than commercially appropriate was charged as a result of American Bankers' relationship with the lending institution.

C. **Class C:** As to Foremost, all persons who had loans with, or who co-signed or guaranteed loans with, or assigned to, a financial institution secured by collateral in the form of automobiles, trucks, motor homes, mobile homes, boats, recreational vehicles, farm equipment, contractor equipment, motorcycles or other personal property who were charged for collateral protection insurance and related charges pursuant to policies provided by Foremost for which insurance a premium greater than commercially appropriate was charged as a result of Foremost's relationship with the lending institution.

Excluded from the class are:

A. Defendants, any parent, subsidiary, affiliate, or controlled person of a Defendant, the officers, directors, agents, servants, or employees of the Defendants, and the members of the immediate family of any such person.

B. There are intrastate state class actions pending in the following states as to Green Tree: Alabama, Florida, Illinois, Louisiana, Mississippi, Missouri, Oklahoma and Texas. Accordingly, residents of those states are excluded from Class A unless they affirmatively opt in to the class in this cause. (In the event an intrastate certification has not occurred prior to the trial of this cause, the court may amend the class by deleting all or part of this exclusion.)

C. There are intrastate class actions pending in the following states as to American Bankers: Alabama, Florida, Illinois and Mississippi. Accordingly,

residents of those states are excluded from Class B unless they affirmatively opt in to the class in this cause. (In the event an intrastate certification has not occurred prior to the trial of this cause, the court may amend the class by deleting all or part of this exclusion.)

D. There is an intrastate class action pending in Illinois as to Foremost. Accordingly, residents of this state are excluded from Class C unless they affirmatively opt in to the class in this cause. (In the event an intrastate certification has not occurred prior to the trial of this cause, the court may amend the class by deleting all or part of this exclusion.)

E. All persons who prior to the date of filing of the Complaint herein have filed an individual suit against one of the defendants challenging the practices which are the subject matter of this litigation.

F. All persons who timely opt out of this proceeding.

Among the issues to be determined are without limitation, whether Defendants failed to act in good faith toward the class members in the procurement and purchase of collateral protection insurance; whether Defendants' breaches of fiduciary duties to all class members entitles them to a civil remedy; whether Defendants engaged in a uniform and systematic fraud in the inducement of its boilerplate contracts with the class members, and whether Defendants violated various applicable consumer statutes in their overall scheme to overcharge customers for collateral protection insurance and, if so, the amount of compensatory and punitive damages the class members are entitled.

This is a conditional certification order, and accordingly, the court reserves the right to modify the class definition or otherwise modify this order and to vacate this order.

Entered this 26th day of APRIL, 1996

JUDGE

TAP HD:CLIENTS:CPI:GREENTREE:ARIZIVIN.ORD2

STATE OF WISCONSIN CIRCUIRT COURT WAUPACA COUNTY

LAWRENCE ANIZIVINO, BRENDA
ANIZIVINO, JOHN LOM,
EVELYN J. WATKINS AND
DENISE ELIAS,

Plaintiffs,

vs. FILE NO. 96 CV 153

GREEN TREE FINANCIAL CORPORATION:
GREEN TREE ACCEPTANCE, INC.;
GREEN TREE AGENCY, INC.;
AMERICAN BANKERS INS. GROUP, INC.;
AMERICAN BANKERS INS. CO. OF
FLORIDA; FOREMOST CORPORATION
OF AMERICA; AND FOREMOST
INSURANCE COMPANY,

Defendants.

TRANSCRIPT OF PROCEEDINGS

JULY 1, 1998
WAUPACA, WISCONSIN

HON. PHILIP M. KIRK,
CIRCUIT JUDGE,
PRESIDING.

RICHARD KIENBAUM
COURT REPORTER

EXHIBIT C

APPEARANCES

PHEBUS & WINKELMANN, Attorneys at Law, 136 West Main Street, Urbana, Illinois 61801, by Joseph W. Phebus, on behalf of the Plaintiffs; and MR. JOHN C. CABANISS, Attorney at Law, 250 East Wisconsin Avenue, Suite 725, Milwaukee, Wisconsin 53202-4205, on behalf of the Plaintiffs.

DAVIS & KUELTHAU, Attorneys at Law, 111 E. Kilbourn Avenue, Suite 1400 Milwaukee, Wisconsin 53202-3101, by Michael R. Wherry, Louis F. Raymond and Mark Reiff, on behalf of the Defendants, Green Tree Financial.

- - -

THE COURT: All right, we have 96 CV 153, Lawrence Anizivino, et al, Plaintiffs, versus Green Tree Financial Corporation, et al, Defendants.

State your appearances, commencing with counsel--or, Plaintiff, I'm sorry.

MR. CABANIS: Joseph Phebus, John Cabanis and Chris Napsen (sp), for the Plaintiffs.

MR. WHERRY: For the defendant, Green Tree Financial, Michael Wherry, Louis Raymond and Mark Reiff is also on the phone from San Franciso.

1 THE COURT: All right. I note that a
2 lot has gone on in this case, and I'm probably the
3 one that knows the least about it at this point,
4 and if I look at my files, it's truly remarkable
5 what has been filed at least.
6 So I guess I need to know exactly--and I
7 know there are couple defendants dismissed with
8 consent, and I think we have a motion to amend the
9 complaint and an objection to that; and beyond that
10 what else do we need to be concerned with today,
11 please?
12 MR. PHEBUS: Joseph Phebus, your Honor,
13 as part and parcel of amendement, obviously request
14 to intervene by additional plaintiffs. There is a
15 motion to dismiss that. I don't believe really
16 speaks to this particular amendement. So if
17 amendment is allowed, I'm sure, depending whether
18 file different motion to dismiss, defendant has, as
19 your Honor noted, filed an objectionthat we just
20 received today to the amendment.
21 The motion the defendant has requested
22 the certification be vacated.
23 The plaintiff has requested that after
24 discovery that certification be confirmed and then
25 the plaintiffs desire is to get on with discovery.

1 Despite the thickness of the file and
2 everything been filed, been precious little discovery
3 in this proceeding and to the extent the plaintiffs
4 have learned things over the last year or two it
5 has all been from other proceedings.
6 THE COURT: Well, let me ask, if it would be
7 agreed that the first thing that needs to be done
8 is the need to address the motion for the plaintiff's
9 amendment to their complaint and from that everything
10 else would flow?
11 MR. WHERRY: Your Honor, Mike Wherry, I'm
12 not convinced we certainly have to address that, but
13 the ex parte motion to certify the class which
14 occurred back in '96, we think if there's going to
15 be any further pleadings in this case in view of
16 the dismissal of American Bankers and Foremost, which
17 also vacated the class certification as to those
18 two defendants, that the ex parte order certifying
19 that class should be vacated until it is properly
20 established that there is a class action under
21 Wisconsin law.
22 What we got here now, and in looking at
23 this new complaint, we got an action that is
24 completely different than what was originally filed
25 with the Court. Six of the seven claims that were