

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	
	)	Chapter 11
Triad Guaranty Inc. <sup>1</sup>	)	
	)	Case No. 13-11452 (MFW)
	)	
Debtor.	)	
	)	
	)	
Triad Guaranty Inc.,	)	
	)	Adv. Pro. No. 13-51749 (MFW)
Plaintiff,	)	
v.	)	
	)	
Triad Guaranty Insurance Corp., Triad	)	
Guaranty Assurance Corp. and Andrew	)	
Boron, Director of Insurance of the State	)	
of Illinois acting as Rehabilitator of	)	
Triad Guaranty Insurance Corp. and	)	
Triad Guaranty Assurance Corp.,	)	
	)	
Defendants.	)	

***THIRD AMENDED NOTICE OF AGENDA FOR HEARING SCHEDULED FOR  
NOVEMBER 13, 2013 AT 10:30 A.M. EST BEFORE  
THE HONORABLE MARY F. WALRATH***

**CONTESTED MATTERS SCHEDULED FOR ORAL ARGUMENT:<sup>2</sup>**

1. Complaint filed by Triad Guaranty Inc. Against Triad Guaranty Insurance Corp., Triad Guaranty Assurance Corp. and Andrew Boron, Director of Insurance of the State of Illinois acting as Rehabilitator of Triad Guaranty Insurance Corp. and Triad Assurance Corp., filed August 30, 2013 [Adv. No. 1].
2. Motion of Defendant Andrew Boron, Director of Insurance of the State of Illinois, Acting as Rehabilitator for, and on Behalf of, Triad Guaranty Insurance

<sup>1</sup> The last four digits of the Debtor’s federal taxpayer identification number are 8519. The location of the Debtor’s headquarters and the Debtor’s service address is 1900 Crestwood Blvd., Birmingham, AL 35210.

<sup>2</sup> Pursuant to Order Scheduling Certain Deadlines in Adversary Proceeding, entered September 24, 2013 [Adv. No. 15], copies of all documents were delivered to chambers on November 6, 2013.

Corporation and Triad Guaranty Assurance Corporation, to Dismiss Adversary Complaint or for Abstention, filed October 3, 2013 [Adv. No. 20].

Related Documents:

- A. Order Scheduling Certain Deadlines in Adversary Proceeding, entered September 24, 2013 [Adv. No. 15].
- B. Brief in Support of Motion of Defendant Andrew Boron, Director of Insurance of the State of Illinois, Acting as Rehabilitator for, and on Behalf of, Triad Guaranty Insurance Corporation and Triad Guaranty Assurance Corporation, to Dismiss Adversary Complaint or for Abstention, filed October 3, 2013 [Adv. No. 21].
- C. Order Granting Debtor's Motion to Waive Page Limitation Regarding Debtor's Brief in Objection to Motion of Defendant Andrew Boron, Director of Insurance of the State of Illinois, Acting as Rehabilitator for, and on Behalf of, Triad Guaranty Insurance Corporation and Triad Guaranty Assurance Corporation, to Dismiss Adversary Complaint or for Abstention, entered October 18, 2013 [Adv. No. 33].
- D. Reply of Rehabilitator in Support of Motion to Dismiss Adversary Complaint or for Abstention, filed October 24, 2013 [Docket No. 36].
- E. Unsworn Declaration Pursuant to 28 U.S.C. §1746(2) and Fed. R. Civ. P. 43(e), as incorporated by Fed. R. Bankr. P. 9017, of Kenneth S. Dwyer in Support of Motion of Defendant Andrew Boron, Director of Insurance of the State of Illinois, Acting as Rehabilitator for, and on Behalf of, Triad Guaranty Insurance Corporation and Triad Guaranty Assurance Corporation, to Dismiss Adversary Complaint or for Abstention, filed October 24, 2013 [Adv. No. 37].
- F. Order Granting Motion to Waive Page Limitations Regarding Defendants' Reply Brief in Support of Motion to Dismiss Adversary Complaint or for Abstentions, entered November 6, 2013 [Docket No. 47].

Responses Received:

- A. Debtor's Brief in Objection to Motion of Defendant Andrew Boron, Director of Insurance of the State of Illinois, Acting as Rehabilitator for, and on Behalf of, Triad Guaranty Insurance Corporation and Triad Guaranty Assurance Corporation, to Dismiss Adversary Complaint or for Abstention, filed October 18, 2013 [Adv. No. 29].

- B. Declaration of William T. Ratliff, III in Support to the Debtor's Brief in Objection to Motion of Defendant Andrew Boron, Director of Insurance of the State of Illinois, Acting as Rehabilitator for, and on Behalf of, Triad Guaranty Insurance Corporation and Triad Guaranty Assurance Corporation, to Dismiss Adversary Complaint or for Abstention, filed October 18, 2013 [Adv. No. 30].
- C. Appendix to Debtor's Brief in Objection to Motion of Defendant Andrew Boron, Director of Insurance of the State of Illinois, Acting as Rehabilitator for, and on Behalf of, Triad Guaranty Insurance Corporation and Triad Guaranty Assurance Corporation, to Dismiss Adversary Complaint or for Abstention, filed October 18, 2013 [Adv. No. 31].

Status: This matter will go forward.

- 3. Debtor's Motion in Limine to Exclude from Evidence on Defendants' Motion to Dismiss or for Abstention, (i) the Testimony of Kenneth S. Dwyer and (ii) the Unsworn Declaration of Kenneth S. Dwyer and Exhibits Thereto, filed November 8, 2013 [Adv. No. 54].

Related Documents:

- A. Unsworn Declaration Pursuant to 28 U.S.C. §1746(2) and Fed. R. Civ. P. 43(e), as incorporated by Fed. R. Bankr. P. 9017, of Kenneth S. Dwyer in Support of Motion of Defendant Andrew Boron, Director of Insurance of the State of Illinois, Acting as Rehabilitator for, and on Behalf of, Triad Guaranty Insurance Corporation and Triad Guaranty Assurance Corporation, to Dismiss Adversary Complaint or for Abstention, filed October 24, 2013 [Adv. No. 37].
- B. Debtor's Supplemental Brief in Support of Debtor's Motion in Limine to Exclude from Evidence on Defendants' Motion to Dismiss or for Abstention, (i) the Testimony of Kenneth S. Dwyer and (ii) the Unsworn Declaration of Kenneth S. Dwyer and Exhibits Thereto, filed November 12, 2013 [Adv. No. 62]**

Response Deadline: None set.

Responses Received: None to date.

Status: With the Court's permission, this matter will go forward.

UNCONTESTED MATTERS WITH CERTIFICATE OF NO OBJECTION:

4. Application for an Order Authorizing the Retention and Employment of KPMG LLP as Tax Compliance and Tax Consulting Services Provider for the Debtor and Debtor in Possession Pursuant to 11 U.S.C. § 327(a) Nunc Pro Tunc to October 22, 2013, filed October 23, 2013 [Docket No. 192].

Related Documents:

- A. Certificate of No Objection, filed November 11, 2013 [Docket No. 203].

Response Deadline: November 6, 2013 at 4:00 p.m. (ET)

Responses Received: None.

Status: A certificate of no objection had been filed.

Dated: November 11, 2013

**WOMBLE CARLYLE SANDRIDGE  
& RICE, LLP**

/s/ Thomas M. Horan  
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