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STATE OF WASHINGTON  
OFFICE OF  
INSURANCE COMMISSIONER

In the Matter of

ABILITY INSURANCE COMPANY,

No. 11-0088

Respondent,

DECLARATION OF DONALD K.  
LAWLER SUPPORTING ABILITY'S  
MOTION FOR STAY OF CEASE AND  
DESIST ORDER

Donald K. Lawler declares as follows:

1. I am the Senior Vice President for Ability Insurance Company. I make this declaration on personal knowledge.
2. The OIC is well aware that no other policyholder in the State of Washington is similarly situated to Ms. White. I was involved in discussions with the Washington Office of Insurance Commissioner regarding the denial of reinstatement of Gladys White's policy. During these discussions, the Office of Insurance Commissioner requested and received a review of all reinstatement requests since January 1, 2009. The review revealed only two other policies similar to Ms. White for which reinstatement was denied. In both denials, the reinstatement requests were well outside the five month reinstatement period.
3. The Schedule T information, submitted as Exhibit A to the Declaration of

DECLARATION OF DONALD K. LAWLER - 1

SCHWABE, WILLIAMSON & WYATT, P.C.  
Attorneys at Law  
U.S. Bank Centre  
1420 5th Avenue, Suite 3400  
Seattle, WA 98101-4010  
Telephone 206.522.1711 Fax 206.292.0460

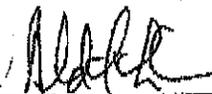
1 Hyung M. Lee, reflects all premiums for the state of Washington. This total premium  
 2 amount has no relationship to amount of insureds similarly situated to Ms. White, as  
 3 explained above.

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6 I declare under penalty of perjury under the laws of the State of Washington that the  
 7 foregoing statements are true and correct.

8 Dated this 1st day of June, 2011, at Omaha, Nebraska.

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 Donald K. Lawler

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DECLARATION OF DONALD K. LAWLER - 2

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 1<sup>st</sup> day of June, 2011, I caused to be served the foregoing ~~Declaration~~ on the following party at the following address:

Alan Michael Singer  
Staff Attorney, Legal Affairs Division  
Office of the Insurance Commissioner  
State of Washington  
PO Box 40255  
Olympia WA 98504-0255

by:

<input checked="" type="checkbox"/>
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U.S. Postal Service, ordinary first class mail  
U.S. Postal Service, certified or registered mail,  
return receipt requested  
hand delivery  
facsimile  
electronic service  
other (specify) \_\_\_\_\_

Chante Tayler  
Chante Tayler

CERTIFICATE OF SERVICE - 1

PDX/122574/181300/CHH/7537018.1

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