

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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MUNICH REINSURANCE  
AMERICA, INC.,

Plaintiff,

v.

AMERICAN NATIONAL  
INSURANCE COMPANY,

Defendant.

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Civ. No.: 09-6435 (FLW)

**ORDER**

**THIS MATTER** having been opened to the Court by Plaintiff Munich Reinsurance America, Inc. (“Plaintiff” or “Munich”), through its counsel, Amy S. Kline, Esq., on a motion to amend, pursuant to Fed. R. Civ. P. 52(b), the Court’s findings and conclusions set forth in the Opinion and Order dated February 27, 2014; it appearing that the basis of Plaintiff’s motion is the omission of a covered insurance claim—to wit, the “Negrete/Lopez” claim, identified by Plaintiff’s claim number 6104834—under the retrocession contracts between Plaintiff and Defendant American National Insurance Company (“Defendant” or “ANICO”) at issue in this matter (the “Retrocession Agreements”); it appearing that under Rule 52(b), a court may amend its findings and conclusions on motion of the parties, and alter its judgment accordingly; it appearing that the Negrete/Lopez claim was stipulated to by the parties in the Final Pretrial Order and also introduced into evidence at trial; it appearing that the omission of the Negrete/Lopez claim from the Court’s February 27, 2014 Opinion and Order was a clerical oversight; it appearing further that ANICO does not oppose Plaintiff’s motion to amend; the

Court having reviewed the submissions of the parties pursuant to Fed. R. Civ. P. 78 as well as the underlying record, for the reasons set forth above and for good cause shown,

**IT IS** on this 25th day of March, 2014,

**ORDERED** that Plaintiff's unopposed motion [165] to amend the Court's Opinion and Order dated February 27, 2014 is GRANTED; and it is further

**ORDERED** that claim 6104834 for claimant Negrete/Lopez is a properly ceded and payable claim under the Retrocession Agreements, and that the Court's findings as set forth in its February 27, 2014 Opinion and Order shall be deemed amended to include the Negrete/Lopez claim in the list of properly ceded claims for which ANICO is required to make payment, as set forth in the Amended Appendix to the Opinion and Amended Exhibit A to the Order attached hereto.

/s/ Freda L. Wolfson  
The Honorable Freda L. Wolfson  
United States District Judge

**AMENDED APPENDIX**

	<b>Claim</b>	<b>Munich Claim Number</b>	<b>Amount Billed Net of Payment by ANICO</b>	<b>Notes</b>
1	WELCH, Edmond	6098145	\$187,500.00	As of 8/23/13
2	OWENS, Johnson	6124309	\$187,506.36	As of 8/23/13
3	SANCHEZ, Jose	6109126	\$250,000.00	As of 8/23/13
4	KRONER, George	6102272	\$250,000.00	As of 8/23/13
5	McMANUS, Raymond	6125230	(\$19,506.84)	As of 8/23/13
6	CHAVEZ, Sylvia	6144422	\$316,204.21	As of 8/23/13
7	CUMMINGS, Michael	6110205	\$412,460.89	As of 8/23/13
8	MIMS, Alan	6139831	\$237,879.12	As of 8/23/13
9	OLIVER, Christopher	6112221	\$135,680.00	As of 8/23/13
10	BEST, John	6142918	\$8,745.81	As of 8/23/13
11	MITTLEBERGER, David	6142930	\$314,383.55	As of 8/23/13
12	SAAVEDRA, Martin	6133577	\$56,944.50	As of 8/23/13
13	TISON, George	6140171	\$39,668.35	As of 8/23/13
14	WILLIAMS, Melvin	6129003	\$107,961.63	As of 8/23/13
15	LOPEZ, Karen	6135970	\$227,799.59	As of 8/23/13
16	KOZLOWSKI, Joseph	6142745	\$250,000.00	As of 8/23/13
17	ORELLANO, Fausto	6129315	\$343,469.90	As of 8/23/13
18	SEXTON, Lisa	6135960	\$174,707.41	As of 8/23/13
19	FIELDS, Russell	6140752	\$299,890.91	As of 8/23/13
20	MARION, Lavern	6109956	\$250,332.43	As of 8/23/13
21	MAGANA, Juan	6102276	\$31,394.41	As of 8/23/13
22	BARTOSZEWIC, Waldemar	6150020	\$414,752.36	As of 8/23/13
23	KENNEMORE, David	6213189	\$19,905.14	As of 8/23/13
24	SOSA, Lidia	6150266	\$181,811.86	As of 8/23/13
25	JIMENEZ, Ricardo	6125915	\$500,000.00	As of 8/23/13
26	KELLY, Paul	6135728	\$60,048.34	As of 8/23/13
27	BUFORD, Derrick	6169131	\$8,233.95	As of 8/23/13
28	MOTA, Felix	6110497	\$500,000.00	As of 8/23/13
29	NEGRETE/LOPEZ	6104834	\$215,639.02	As of 8/23/13
30	SIS, Gonzalo	6159351	\$0.00	No Bill Due
31	ROSETTE, A.	6223129		Not Billed
32	STREETER, R.	6220894		Not Billed
33	BABS, M.	6219483		Not Billed
34	JARAMILLO, S.	6219138		Not Billed
35	SCRUGGS, N.	6214137		Not Billed
36	SALVADOR, C.	6203088		Not Billed

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37	GALLARDO, M.	6200302		Not Billed
38	ORTEGA, E.	6161338		Not Billed
39	HALL, W.	6106084		Not Billed
40	FRANCE, Patricia	6197830		Not Billed
41	VALENCIA, M.	6200308		Not Billed
42	ROMANO, T.	6150024		Not Billed
43	HAYDEN, J.	6135971		Not Billed
44	KNOPP, Laurie	6201573		Not Billed
45	PARTON, Georgene	6207518		Not Billed
46	MAPLES, Albert	6129006		Not Billed
47	GONZALES, Ramon	6140257		Not Billed
48	LEA, Donna	6139784		Not Billed
49	CALVERT, Steven	6150261		Not Billed
50	CHRISTIE, Glenn	6156350		Not Billed
51	SHORT, Mark	6183074		Not Billed
52	MERRILL, P.	6190662		Not Billed
53	HALL, J.	6136033		Not Billed
54	SOTO, R.	6138818		Not Billed
55	GILBERT, Andrew	6187443		Not Billed
56	MEDINA, L.	6201435		Not Billed
57	COVINGTON, E.	6195263		Not Billed
58	SCHWARTZ, M.	6201430		Not Billed
59	LUGO, Rosalina	6138807		Not Billed
60	RIVAS, Daniel	6207513		Not Billed
61	SOLES, Ronald	6127566		Not Billed
62	HARRISON, Dylane	6196870		Not Billed
63	ESQUIVEL, Ernesto	6142814		Not Billed
64	GARCIA, Alonzo	6203083		Not Billed
65	JACKSON, Rodney	6150016		Not Billed
66	EARLEY, Lucas	6153310		Not Billed
67	ROJAS, Elizabeth	6179981		Not Billed
68	CUNNINGHAM, Teresa	6203082		Not Billed
69	TODRIF, Debbe	6221306		Not Billed

**EXHIBIT A**

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