



# Illinois Department of Insurance

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PAT QUINN  
Governor

MICHAEL T. McRAITH  
Director

Funeral Homes

Mr.

PO Box

IL

IOC License Number

Dear \_\_\_\_\_,

On May 18, 2009, the Illinois Director of Insurance ("Director") entered into a Stipulation and Consent Order with Merrill Lynch Life Agency to establish an \$18,000,000 fund (the "Fund"). On February 22, 2010 the Director amended the order to remove any conditions upon the proportional distribution of the Fund to affected funeral directors ("Members"). Both orders determined that the Fund "will mitigate and offset potential losses or injuries that might be suffered by Client-Family Owners and Members." Until now, the distribution of the Fund was delayed by a lawsuit filed by a handful of funeral directors. Those funeral directors voluntarily withdrew their lawsuit challenging the Order. Their request for legal fees was denied allowing this distribution to take place.

Your proportional share of the Fund (that is, the share allocated to the license number that appears above) is \$ \_\_\_\_\_. Enclosed is a check made payable to you in that amount.

This distribution of your proportional share is separate from and in addition to the funds currently held by the Illinois Funeral Directors Association trust or alternative trust arrangements you have established on behalf of your client families.

Also enclosed you will find a spreadsheet that lists the Certificate Number, Certificate Date, Client Name, Certificate Type (Guaranteed, Non-Guaranteed and General) for each pre-need contract and the amount attributable to each client family of your proportional share. The spreadsheet also provides you with information concerning which pre-need contracts are associated with your proportional share of the Fund. Finally, the spreadsheet will enable you to determine what portion of the proportional share remain funds subject to the provisions of the Illinois Funeral or Burial Funds Act, 22 ILCS 45/1 *et seq.*, and what portion may be disbursed to you or your clients for previously performed funerals under certain pre-need contracts.

If you have questions, please feel free to contact me at the Department of Insurance by calling (217) 557-1396.

Sincerely,  
Joseph Clennon

Enclosure

cc: Peg Roth  
Percy Lucina