



November 10, 2009

Dealer Valued Dealer,

Thank you again for your support and patience over the last several months as problems with the administration of the HELP program have come to light. We want to reassure you that we are continuing to work towards solutions to the complicated problems of administration and payment of claims under HELP contracts, in the context of the Equiguard bankruptcy. We are meeting with management from Equiguard and from Federal Warranty Corporation (FWC – previously referred to as Assurant Solutions) on a regular basis to help break the payment log jam and get you paid for the work you have done under HELP contracts. Additionally, we are considering ways to ensure the future of the HELP program, but until we know how things develop in Equiguard's bankruptcy and reorganization efforts, we are unable to elaborate details to you at this time.

Equiguard and FWC have divided responsibility for administering and paying claims under HELP contracts. Claims arising under HELP contracts sold before October 2004 ("Old Contracts") are being handled by FWC. Claims arising under contracts sold after October 1, 2004 ("New Contracts") are still being administered by Equiguard, although Equiguard is dependent on FWC to provide funding for payment of those claims.

#### New Contracts (i.e. contracts sold *after* October 1, 2004)

Equiguard and FWC met to resolve the issues that were preventing FWC from funding Equiguard's payment of claims on New Contracts. On Thursday, November 5, the bankruptcy judge approved the settlement of those issues between Equiguard and FWC, which should result in Equiguard paying those claims, starting later this month.

However, please be aware that Equiguard and FWC are now working under new arrangements that will likely result in more stringent review on claims because FWC is going to be more involved to insure the *exact terms and conditions* of the purchaser's contract are followed. As we learn more details from Equiguard or FWC, we will make them available to you.

#### Old Contracts (i.e. contracts sold *before* October 1, 2004)

We have worked with the claims group from FWC to get them to expedite processing and payment of claims under Old Contracts (i.e. contracts sold before October 1, 2004). As noted in our October letter, FWC has a team reviewing claims on those contracts, but they were unable to get you the necessary documents in October as they hoped to do. We are advised that you should soon receive several communications from FWC: A) copy of your claims received by FWC through October 7<sup>th</sup> showing adjustments made by FWC; and B) a release form. ICP has spoken repeatedly with FWC in an effort to resist any reductions it might make in claims, but is not in a position to tell you how to

handle FWC's offer of payment in exchange for a release. If you have any claims for work on Old Contracts that you have not yet submitted, you should submit them immediately to the following address or fax:

Federal Warranty Corporation  
Equiguard Special Claims Handling  
P.O. Box 21647, St. Petersburg, FL 33742  
Fax 727-369-1622

### New Procedures

FWC has told ICP that, going forward, it will require a pre-authorization on all services performed under an Old Contract. Therefore, it is recommended that you not perform any services under contracts sold before October 1, 2004 until you receive pre-authorization from FWC. ICP recommends that you call FWC if you have any questions regarding its new claims procedures (**Toll Free: 800-235-5121**).

FWC has also advised us that it will be asking dealers to enroll to participate as a service provider in its network of service providers (its network is not the same as Equiguard's network). We believe that this will involve submitting proof of meeting a new general liability insurance policy requirement and your acceptance of a new claims payment method for going forward service work. We are informed that you will receive details on this from FWC this month.

ICP recognizes that our loyal customers have endured quite a bit of frustration from the long delays in receiving payments from Equiguard and FWC. The HELP contracts are insured and the claims should be paid, but because of the bankruptcy laws and the number of corporations involved, resolving all the legal issues is a complex and challenging project. We have had many teams of people involved at every level of our company working to get the issues resolved as quickly as possible.

Again, thank you for your business and for your patience as we continue to address all the challenges on this project.

Lisa Townley



ICP Brand Marketing

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