

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WISCONSIN

FILED
MAR 20 1984
CLERK
U.S. BANKRUPTCY COURT

In re:

Case Number:

CONSECO, INC.,

WF11-83-01959

Debtor.

FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND
ORDER DENYING MOTION TO REMOVE
J. N. MANSON AGENCY, INC. FROM CREDITORS COMMITTEE

Baldwin-Allied Tube having filed a motion for removal of J. N. Manson Agency, Inc. from the Creditors Committee; and said motion having come on for hearing on the 15th day of February, 1984; and Roy T. Traynor appearing as attorney for the applicant; and Konrad Tuchscherer appearing as attorney for the J. N. Manson Agency, Inc.; and the Court having heard the oral arguments of counsel; and briefs having been duly filed as ordered by the Court; and the Court having considered the entire record, arguments and briefs, and being fully advised in the premises, FINDS;

1. That the said applicant is a creditor in said matter.
2. That the Manson insurance agency was appointed to the Creditors Committee as provided by the Code, and that it is one of

the two largest creditors in said matter, with claims for insurance in the sum of \$111,284.85, and that there has accumulated during the administration of the estate additional premiums in excess of \$5,000.00.

3. That the applicant claims that there is a conflict of interest which requires that said Manson insurance agency be removed from the Creditors Committee in that said creditor is not only an insurance agency but an underwriter and also a "risk management" consultant.

4. That from the facts and the cited authorities relative to conflict, the Court concludes and finds that there is no conflict of interest involved herein.

CONCLUSIONS OF LAW

That an order be entered dismissing the applicant's motion.

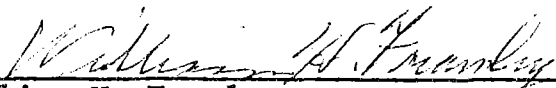
ORDER

IT IS ORDERED, that the motion of the applicant, Baldwin-Allied Tube to remove J. N. Manson Agency, Inc. from the Creditors

Committee be, and the same hereby is, dismissed on the merits,
without costs to any of the parties.

Dated: March 20, 1984.

BY THE COURT:



William H. Frawley
Bankruptcy Judge