

(E) "CLAIM" MEANS:

(1) A RIGHT TO PAYMENT, WHETHER OR NOT THE RIGHT IS REDUCED TO JUDGMENT, LIQUIDATED, UNLIQUIDATED, FIXED, CONTINGENT, MATURED, UNMATURED, DISPUTED, UNDISPUTED, LEGAL, EQUITABLE, SECURED, OR UNSECURED; OR

(2) A RIGHT TO AN EQUITABLE REMEDY FOR BREACH OF PERFORMANCE IF THE BREACH GIVES RISE TO A RIGHT TO PAYMENT, WHETHER OR NOT THE RIGHT TO AN EQUITABLE REMEDY IS REDUCED TO JUDGMENT, FIXED, CONTINGENT, MATURED, UNMATURED, DISPUTED, UNDISPUTED, SECURED, OR UNSECURED.

9-329.

(A) In any distribution of assets on liquidation of a savings and loan association, the priority of claims is as follows:

(1) In a mutual association:

(i) General creditors and holders of savings deposit accounts;

(ii) Holders of savings share accounts; and

(iii) Contributors to the initial general reserve fund and expense fund under Subtitle 2 of this title; and

(2) In a capital stock association:

(i) General creditors (other than those who are capital stockholders) and holders of savings deposit accounts;

(ii) Holders of savings share accounts;

(iii) Contributors to the initial general reserve fund and expense fund under Subtitle 2 of this title unless the funds were provided by paid-in surplus; and

(iv) Capital stockholders.

(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN THE CASE OF THE LIQUIDATION OF A SAVINGS AND LOAN ASSOCIATION FOR WHICH A RECEIVER HAS BEEN APPOINTED UNDER § 9-708 OF THIS PART V:

(1) THE DETERMINATION OF WHETHER THE ASSOCIATION'S SAVINGS ACCOUNTS CONSTITUTE SAVINGS DEPOSIT ACCOUNTS OR SAVINGS SHARE ACCOUNTS FOR PURPOSES OF SUBSECTION (A) OF THIS SECTION SHALL BE MADE AS OF THE DATE THAT THE RECEIVER IS APPOINTED BY THE COURT ADMINISTERING THE RECEIVERSHIP; AND

(2) IF, AS OF THAT DATE, THE SAVINGS AND LOAN ASSOCIATION IN RECEIVERSHIP CONSTITUTES A DEPOSIT ASSOCIATION UNDER § 9-314 OF THIS SUBTITLE, THEN ALL OF ITS SAVINGS ACCOUNTS