

(II) IF AN ANCILLARY PROCEEDING HAS BEEN COMMENCED IN THIS STATE, IN THE ANCILLARY PROCEEDING.

(4) IF THE CLAIMANT ELECTS TO PROVE THE CLAIM IN THIS STATE, THE CLAIMANT SHALL:

(I) FILE THE CLAIM WITH THE ANCILLARY RECEIVER; AND

(II) GIVE WRITTEN NOTICE TO THE DOMICILIARY RECEIVER BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEARING A POSTMARK FROM THE UNITED STATES POSTAL SERVICE, OR BY PERSONAL SERVICE AT LEAST 40 DAYS BEFORE THE DATE SET FOR THE HEARING.

(5) THE NOTICE SHALL CONTAIN:

(I) A CONCISE STATEMENT OF THE AMOUNT OF THE CLAIM;

(II) THE FACTS ON WHICH THE CLAIM IS BASED; AND

(III) ANY PRIORITY ASSERTED BY THE CLAIMANT.

(6) THE DOMICILIARY RECEIVER MAY APPEAR OR BE REPRESENTED IN ANY PROCEEDING IN THIS STATE THAT INVOLVES ADJUDICATION OF THE CLAIM IF, WITHIN 30 DAYS AFTER THE CLAIMANT GIVES THE NOTICE REQUIRED BY THIS SUBSECTION, THE DOMICILIARY RECEIVER GIVES WRITTEN NOTICE OF AN INTENT TO CONTEST THE CLAIM:

(I) TO THE ANCILLARY RECEIVER AND TO THE CLAIMANT; AND

(II) BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEARING A POSTMARK FROM THE UNITED STATES POSTAL SERVICE, OR BY PERSONAL SERVICE.

(7) THE FINAL ALLOWANCE OF THE CLAIM BY THE COURTS OF THIS STATE SHALL BE ACCEPTED AS CONCLUSIVE AS TO:

(I) THE AMOUNT OF THE CLAIM; AND

(II) ANY PRIORITY OF THE CLAIM AGAINST SPECIAL DEPOSITS OR OTHER SECURITY LOCATED IN THIS STATE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, §§ 147, 148, 149, and 161.

In subsection (a)(1) and (3)(ii) of this section, the defined term "impaired insurer" is substituted for the former reference to an insurer that is "insolvent" to reflect the merger of the terms "impaired" and "insolvent" in § 9-201(h) of this subtitle.

In subsection (f)(4) of this section, the former reference to an opportunity to "appear" is deleted as implicit in the reference to an "opportunity to be heard" in this subsection.

As to the effect of subsections (f) and (g) of this section as part of the Uniform