

SC 10

SHORT FORM ORDER

SUPREME COURT - STATE OF NEW YORK

Present:

HON. ROY S. MAHON

Justice

In the Matter of the Liquidation of
AMERICAN FIDELITY FIRE INSURANCE COMPANY
and AMERICAN CONSUMER INSURANCE COMPANY,

TRIAL/IAS PART 5

INDEX NO. 2960/86

MOTION SEQUENCE
NO. 35

MOTION SUBMISSION
DATE: August 16, 2013

The following papers read on this motion:

Order to Show Cause

X

Upon the foregoing papers, the motion by the Superintendent of Financial Services of the State of New York, unopposed, brought by Order to Show Cause for an Order (I) approving the Liquidator's reports ("Closing Reports") on the status of and request to close the Companies' liquidation proceeding ("Liquidation Proceeding") and the financial transactions delineated therein; (ii) authorizing the continued payment of administrative expenses, including such expenses pertaining to the closing of the Liquidation Proceeding; (iii) terminating and closing the Liquidation Proceeding; (iv) authorizing the Liquidator, without further application to this Court, to continue to receive and disburse assets after the termination of the Liquidation Proceeding, pay administrative expenses incurred in connection with the collection of such assets and, if any assets remain after the payment of administrative expenses, to disburse those assets, pursuant to Insurance Law Article 74, to those creditors of the Companies with allowed claims who are eligible to share in *pro-rata* distributions; (v) releasing and discharging the Liquidator, his predecessors and successors in office, and their agents, attorneys and employees, from any and all liability arising from their acts or omissions in connection with the Liquidation Proceeding; (vi) authorizing and directing the Liquidator, in his discretion, to destroy or otherwise dispose of any and all of the books, files, records and other property of the Companies without further order of this Court, is granted. Lack of opposition is tantamount to consent.

Submit Order.

DATED: 9/4/2013

ENTERED

SEP 10 2013

NASSAU COUNTY
COUNTY CLERK'S OFFICE

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Roy S. Mahon

J.S.C.