

SUPREME COURT OF THE STATE OF NEW YORK — NEW YORK COUNTY  
PRESENT: Hon. Peter H. Moulton PART 57

Justice

Matter of the Ancillary  
Receivership of

INDEX NO. 402459/01

MOTION DATE \_\_\_\_\_

ACCELERATION NATIONAL  
Insurance Company

MOTION SEQ. NO. 04

MOTION CAL. NO. \_\_\_\_\_

Cross-Motion:  Yes  No

Upon the foregoing papers, it is ordered that the Order to Show Cause  
and Verified Petition to close an Ancillary  
Receivership and for miscellaneous other relief  
is granted, as unopposed, in accordance with the  
terms of the Order signed simultaneously herewith.

**FILED**

JUN 05 2014

**NEW YORK  
COUNTY CLERKS OFFICE**

Dated: 5/30/14

[Signature]  
**HON. PETER H. MOULTON  
SUPREME COURT JUSTICE**

New York, New York

- 1. Check one: .....  Case Disposed  Non-Final Disposition
  - 2. Check as Appropriate: ..... Motion is:  Granted  Denied  Granted in Part  Other
  - 3. Check if Appropriate: .....:  Settle Order  Submit Order
- Do Not Post  Fiduciary Appointment  Reference

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE

57  
At IAS Part 48 of the Supreme Court  
of the State of New York, County of  
New York, at the courthouse at 60  
Centre Street, in the County, City  
and State of New York, on the 30<sup>th</sup>  
day of MAY, 2014.

P R E S E N T:

PETER H MOWLTON

HON. JEFFREY K. OING, J.S.C.

-----x  
In the Matter of

the Ancillary Receivership of

ACCELERATION NATIONAL  
INSURANCE COMPANY.

**FILED**

Index No.: 402459/01

JUN 05 2014 ORDER

NEW YORK  
COUNTY CLERKS OFFICE

John Pearson Kelly, Assistant Special Deputy Superintendent and agent of the Superintendent of Financial Services of the State of New York ("Superintendent") as ancillary receiver ("Ancillary Receiver") of Acceleration National Insurance Company ("Acceleration National"), having moved this Court, pursuant to Article 74 of the New York Insurance Law ("Insurance Law"), for an order: (i) approving the Ancillary Receiver's report ("Closing Report") on the status of, and request to close, the ancillary receivership proceeding of Acceleration National ("Ancillary Receivership") and the financial transactions delineated therein; (ii) authorizing the continued payment of administrative expenses, including such expenses pertaining to the closing of the Ancillary Receivership; (iii) terminating and closing the Ancillary Receivership; (iv) releasing and discharging the Ancillary Receiver, 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 Ancillary Receivership; (v)

authorizing the New York Liquidation Bureau (the "NYLB", the organization which carries out the responsibilities of the Ancillary Receiver) to receive and disburse to the New York Property/Casualty Insurance Security Fund (the "P/C Fund") and/or the New York Public Motor Vehicle Liability Security Fund (the "PMV Fund" and, together with the P/C Fund, the "Security Funds", each established pursuant to Article 76 of the New York Insurance Law (the "Insurance Law")), as applicable, any future distributions from the Ohio Superintendent of Insurance was appointed domiciliary liquidator of Acceleration National (the "Liquidator") in payment of amounts owed to the Security Funds (a) without further application to this Court and (b) after deducting all administrative expenses in connection with such disbursements; (vi) authorizing and directing the Ancillary Receiver, in his discretion, to destroy, transfer or otherwise dispose of any and all of the books, files, records and other property of Acceleration National in his possession, including by transferring them to the Liquidator, without further order of this Court; and (vii) providing for such other and further relief as this Court deems appropriate and just;

NOW, upon reading the Verified Petition, dated February 24, 2014, due proof of service thereof upon all parties interested in Acceleration National, and due deliberation having been had thereon, and upon the decision of this Court;

NOW, on application of John Pearson Kelly, attorney for the Ancillary Receiver, it is

ORDERED, that the application is granted; and it is further

ORDERED, that the Closing Report is approved; and it is further

ORDERED, that the Ancillary Receiver is authorized to continue paying administrative expenses, including such expenses pertaining to the closing of the Ancillary Receivership;

ORDERED, that the Ancillary Receivership is terminated and closed; and it is further

ORDERED, that the Ancillary Receiver, his predecessors and successors in office, and their agents, attorneys and employees, are released and discharged from any and all liability arising from their acts or omissions in connection with the Ancillary Receivership; and it is further

ORDERED, that the NYLB is authorized to receive and disburse to the Security Funds (each established pursuant to Insurance Law Article 76) any future distributions from the Liquidator in payment of amounts owed to the Security Funds (i) without further application to this Court and (ii) after deducting all administrative expenses in connection with such disbursements; and it is further

ORDERED, that the Ancillary Receiver is authorized and directed, in his discretion, to destroy, transfer or otherwise dispose of any and all of the books, files, records and other property of Acceleration National in his possession, including by transferring them to the Liquidator, without further order of this Court.

**FILED**

ENTER

JUN 05 2014

NEW YORK  
COUNTY CLERKS OFFICE

  
\_\_\_\_\_  
J.S.C.

**HON. PETER H. MOULTON  
SUPREME COURT JUSTICE**