

**SUPREME COURT OF THE STATE OF NEW YORK — NEW YORK COUNTY, IAS  
PART 7**

(Matter of the Liquidation of Midland Insurance Co., Index No. 41294/1986)

**NOTICE  
TO THE POLICYHOLDERS, GUARANTY FUNDS AND REINSURERS  
OF MIDLAND INSURANCE COMPANY IN LIQUIDATION:**

This notice is posted to all policyholders, guaranty funds and reinsurers of Midland Insurance Company (“Midland”), now in liquidation. Justice Michael D. Stallman, of the Supreme Court of the State of New York, New York County, presides over Midland’s liquidation.

Justice Stallman issued a Decision on April 15, 2008 pursuant to a Stipulation and Case Management Order No. 1 (the “CMO”) entered into between the Liquidator, a group of Midland’s Policyholders with asbestos bodily injury claims and a group of intervening Affected Reinsurers (the “CMO Proceedings”). The Decision involved “choice of law,” which was the Phase 1 legal issue of the CMO Proceedings. Justice Stallman held that “the ‘grouping of contacts’ methodology of the Restatement (Second) of Conflict of Laws and New York case law, giving predominant weight to the insured’s ‘principal place of business,’ should apply . . . , as articulated in *Certain Underwriters at Lloyd’s London v. Foster Wheeler Corp.*, 36 AD3d 27 (1<sup>st</sup> Dep’t 2006). . . .” Pursuant to the CMO, within 45 days of the Decision on the Phase I legal issue, the Liquidator and certain Policyholders were to file a “Stipulation of Fact” pertaining to the Phase II legal issues in consultation with the reinsurers. There have been several extensions of time agreed to by the parties and approved by the Court since the Decision.

The parties have agreed and the Court has consented to an additional extension of time up to and including November 2, 2009 in which time to complete the Stipulation of Fact. The parties agree that the extension is without prejudice to any party’s right to file any other pleading, motion, or application, including without limitation the right to seek a stay, or further extension, of this or any other deadline or submission relating to the CMO.

Do not contact the Judge either by mail or telephone. Unauthorized communications will not be responded to.

Dated: September 7, 2009