

SUPREME COURT OF THE STATE OF NEW YORK  
NEW YORK COUNTY

PRESENT: SCHecter  
Justice

PART 57

LAWSKY, BENJAMIN M., ET AL

INDEX NO. 452879/14

MOTION DATE 12/9/15

ESSENCE HEALTHCARE OF NEW YORK, LLC.

MOTION SEQ. NO. 02

The following papers, numbered 1 to \_\_\_\_\_, were read on this motion to/for \_\_\_\_\_  
Notice of Motion/Order to Show Cause -- Affidavits -- Exhibits \_\_\_\_\_ [No(s)] \_\_\_\_\_  
Answering Affidavits -- Exhibits \_\_\_\_\_ [No(s)] \_\_\_\_\_  
Replying Affidavits \_\_\_\_\_ [No(s)] \_\_\_\_\_

Upon the foregoing papers, it is ordered that this motion is granted without  
opposition in accordance with the  
accompanying order.

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE  
FOR THE FOLLOWING REASON(S):

Dated: 12/10/15

J.G.S.  
HON. JENNIFER G. SCHECTER  
J.S.C.

- 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

At IAS Part 57 of the Supreme Court  
of the State of New York, County of  
New York, at the Courthouse,  
111 Centre Street, in the County, City  
and State of New York, on the 10<sup>th</sup>  
day of December 2015.

P R E S E N T:

HON. JENNIFER G. SCHECTER, J.S.C.  
-----X

In the Matter of

Index No.: 452879/14

the Liquidation of

**ORDER**

ESSENCE HEALTHCARE OF NEW YORK, INC.  
-----X

Upon the September 22, 2015, affirmation of Melissa A. Pisapia, an attorney with the New York Liquidation Bureau, the organization that carries out the duties of Shirin Emami, Acting Superintendent of Financial Services of the State of New York in her capacity as liquidator (the "Liquidator") of Essence Healthcare of New York, Inc. ("Essence"), and its attachments and upon all other papers previously submitted and all proceedings heretofore had herein;

NOW, on motion of the Liquidator, and after due deliberation having been had thereon, it is

ORDERED, that the application is granted, *without opposition* and it is further

ORDERED, that the report on the status of and request to close the Essence liquidation proceeding and the financial transactions delineated in such report are approved: and it is further

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ORDERED, that the Liquidator is authorized to pay administrative expenses, including such expenses for the closing of the Essence liquidation proceeding; and it is further

ORDERED, that the Liquidator is authorized to distribute, after payment of administrative expenses, the remainder of Essence's assets to Essence Healthcare, Inc., Essence's immediate parent; and it is further

ORDERED, that the Essence liquidation proceeding is terminated and closed; and it is further

ORDERED, that the Liquidator, and his successors in office and their agents and employees, are entitled to judicial immunity for any cause of action of any nature against them, individually or jointly, for any acts or omissions when acting in good faith, in accordance with the orders of this Court and/or in the performance of their duties pursuant to Insurance Law Article 74; and it is further

ORDERED, that the Liquidator, 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 Essence liquidation proceeding.

ENTER



J.S.C.

HON. JENNIFER G. SCHECTER  
J.S.C.