

~~AXED TO ATTY ON~~ 3/11/13
~~CONFIRMED ON~~ _____

At IAS Part 2 of the Supreme Court of the State of New York, County of Nassau, at the courthouse, 100 Supreme Court Drive, Mineola, New York, on the 11th day of March, 2013.

PRESENT:

~~HON~~ THOMAS P. PHELAN J.S.C.

MOTION SEQUENCE # 32
ORIGINAL RETURN DATE 4/25/13
RELIEF OOH

-----X
In the Matter of

the Liquidation of

FIRST CENTRAL INSURANCE COMPANY.
-----X

Index No.: 002306/98

ENTERED KI
ORDER TO SHOW CAUSE
TP Phelan

Based on the verified petition ("Verified Petition") of Mary Jo Marchisello, Assistant Special Deputy Superintendent and Agent of Benjamin M. Lawsky, Superintendent of Financial Services of the State of New York as liquidator ("Liquidator") of First Central Insurance Company ("FCIC"), duly verified the 6th day of March, 2013, and the exhibit attached thereto, upon all other papers previously submitted and all proceedings heretofore had herein, and it appearing that the relief sought be granted;

NOW, on motion of John Pearson Kelly, attorney for the Liquidator, and after due deliberation having been had thereon,

LET all claimants and parties interested in the affairs of FCIC show cause before this Court at IAS Part 2 thereof, at the Courthouse located at 100 Supreme Court Drive, Mineola, New York, on the 25th day of April, 2013 ("Return Date") at 9³⁰ o'clock a.m., or as soon thereafter as counsel can be heard, why an order should not be made, pursuant to Article 74 of the New York Insurance Law ("Insurance Law"), *inter alia*: (i) establishing April 30, 2013,

as the bar date ("Bar Date") for the presentment to the Liquidator of all claims against FCIC or its insureds other than the Liquidator's claims for administrative costs and expenses; and (ii) providing for such other and further relief as this Court may deem just and proper;

AND, sufficient cause having been alleged therefor, and this Court having found the form and method of notice specified herein to be the best notice practicable, it is hereby

ORDERED, that notice of the Verified Petition and this Order to Show Cause shall be substantially in the form attached hereto and service shall be made by: (i) posting on the Internet web page maintained by the New York Liquidation Bureau at <http://www.nylb.org> at least 15 days before the Return Date; and (ii) publication in the *New York Post*, or a newspaper of similar circulation in New York State, once a week for two consecutive weeks commencing within thirty (30) days following issuance of this Order to Show Cause; and it is further

ORDERED, that the form and methods of service of notice specified herein are hereby approved as in accordance with the law and as the best notice practicable and shall therefore constitute due and sufficient notice of this Order to Show Cause and scheduled Return Date herein and the Verified Petition and the relief sought therein to all persons and entities entitled to receive such notice; and it is further

ORDERED, that the approved form of notice shall direct that all answering papers and supporting documentation ("Answering Papers") be served on the Liquidator so as to be received

at least seven business days prior to the Return Date, and that service on the Liquidator shall be made by first class mail at the following address:

Superintendent of Financial Services of the State of New York as
Liquidator of First Central Insurance Company
110 William Street
New York, New York 10038
Attention: John Pearson Kelly
General Counsel

*D
JSC*

and by submitting copies of the Answering Papers, with affidavit of service on the Liquidator as above, to this Court at IAS Part 2~~X~~ at the Courthouse located at 100 Supreme Court Drive, Mineola, New York, seven business days prior to the Return Date; and it is further

ORDERED, that in the absence of Answering Papers filed pursuant to the previous paragraph on or prior to the date specified, the Court may enter relief without hearing and no party shall be entitled to be heard thereon; and it is further

ORDERED, that any person or entity that fails to serve Answering Papers as provided herein shall be deemed to have waived any objections to the relief sought in the Verified Petition and shall be barred from raising objections in this or any other proceeding concerning the matters set forth herein; and it is further

ORDERED, that any person or entity that has served Answering Papers as provided herein shall be deemed to have waived any objections that are not set forth in the Answering Papers.

ENTER:

[Signature]
J.S.C.

(WP)

[Signature]
Jack Franceschetti, Esq.