

MS 48
Order

EX PARTE MOTION OFFICE

APPROVED
FOR THE PAYMENT
OF MOTION FEE
ONLY

At IAS Part 55 of the Supreme Court
of the State of New York, County of
New York, at the Courthouse, 60
Centre Street, in the County, City
and State of New York, on the 28th
day of June, 2013.

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P R E S E N T:

HON. CYNTHIA S. KERN, J.S.C.

In the Matter of

the Liquidation of

GROUP COUNCIL MUTUAL INSURANCE COMPANY.

Index No.: 400592/02

Order To Show Cause

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Based on the attached affirmation (the "Affirmation") of Lauren M. Reber, an attorney with the New York Liquidation Bureau (the "Bureau"), the entity that carries out the duties of Benjamin M. Lawskey, Superintendent of Financial Services of the State of New York as liquidator (the "Liquidator") of Group Council Mutual Insurance Company ("Group Council"), dated June 26, 2013, and upon all the papers previously submitted and all proceedings heretofore had herein;

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 Group Council ^{appear and} show cause before this Court at IAS Part 55 thereof, at the Courthouse located at 60 Centre Street, New York, New York, on the 17th day of September, 2013 ("Return Date") at 9:30 o'clock .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 August 31,

NO FEE

2013, as the bar date (“Bar Date”) for the presentment to the Liquidator of all claims against Group Council 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 methods of notice specified herein to be the best notice practicable, it is hereby

ORDERED, that notice of the Affirmation 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 fifteen days before the Return Date; and (ii) publication in the *Newsday*, or a newspaper of similar circulation in New York State, once a week for two consecutive weeks commencing within thirty 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 Affirmation 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 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 Group Council Mutual Insurance Company
110 William Street
New York, New York 10038
Attention: John Pearson Kelly
General Counsel

and by submitting copies of the Answering Papers, with affidavit of service on the Liquidator as above, to this Court at IAS Part 55 at the Courthouse located at 60 Centre Street, New York, New York, seven 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 Affirmation 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:



J.S.C.