

SUPREME COURT OF THE STATE OF NEW YORK – NEW YORK COUNTY

PRESENT: SOLOMON
Justice

PART 55

HEALTH PARTNERS OF NEW YORK, LLC

INDEX NO.

402965/08

MOTION DATE

MOTION SEQ. NO.

02

MOTION CAL. NO.

- v -

RE:

The following papers, numbered 1 to _____ were read on this motion to/for _____

Notice of Motion/ Order to Show Cause – Affidavits – Exhibits ...

Answering Affidavits – Exhibits _____

Replying Affidavits _____

PAPERS NUMBERED

Cross-Motion: Yes No

Upon the foregoing papers, it is ordered that this motion

petition is granted, no person having communicated with court or no objections having been submitted to petitioner. Proposed order signed.

FILED

JUN 06 2011

NEW YORK COUNTY CLERK'S OFFICE

Dated: 6/6/11

JANE S. SOLOMON J.S.C.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION

Check If appropriate: DO NOT POST REFERENCE

SUBMIT ORDER/ JUDG.

SETTLE ORDER/ JUDG.

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

RECEIVED

JUN 6 2011

MOTION SUPPORT OFFICE
NYS SUPREME COURT - CIVIL

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 6 day of June, 2011.

PRESENT:

HON. JANE S. SOLOMON, J.S.C.

FILED

In the Matter of

the Liquidation of

HEALTH PARTNERS OF NEW YORK, LLC

JUN 06 2011

Index No.: 402965/08

ORDER FOR BAR DATE
AND ~~ORDER~~ CLAIMS
PROCESS

NEW YORK
COUNTY CLERK'S OFFICE

Dennis J. Hayes, Special Deputy Superintendent (the "Special Deputy") and agent of the Superintendent of Insurance of the State of New York as liquidator ("Liquidator") of Health Partners of New York, LLC ("HPNY"), having moved this Court for an order: (i) approving the Liquidator's initial report on the status of the liquidation of HPNY ("Initial Report") and the financial transactions delineated therein; (ii) establishing July 31, 2011 as the bar date (the "Bar Date") for presentment of all claims other than claims for administrative costs and expenses; (iii) authorizing and directing the Liquidator to consider only those claims for actual losses arising under policies issued by HPNY that are presented to the Liquidator on or before the Bar Date; (iv) barring and discharging all claims for losses reported after the Bar Date; (v) authorizing the continued payment of administrative costs and expenses; (vi) authorizing the Liquidator to distribute HPNY's assets, consistent with this Court's orders and the priorities set forth in Insurance Law Section 7434, to those creditors of HPNY with allowed claims, to the extent that, in the Liquidator's discretion, sufficient funds are available; (vii) releasing and

discharging the Liquidator, his predecessors and successors in office, their agents, attorney and employees, from any and all liability arising from their acts or omissions in connection with the liquidation proceeding; and (viii) granting such other relief as this Court deems appropriate and just.

NOW, upon reading the Verified Petition, dated March 28, 2011, due proof of service thereof upon all parties interested in HPNY, and due deliberation having been had thereon, and upon the decision of this Court;

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

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

ORDERED, that the Initial Report and financial transactions delineated therein are approved; and it is further

ORDERED, that July 31, 2011 is the Bar Date for the presentment of all claims other than claims for administrative costs and expenses; and it is further

ORDERED, that the Liquidator is authorized and directed to consider only those claims for actual losses arising under policies issued by HPNY that are presented to the Liquidator on or before the Bar Date; and it is further

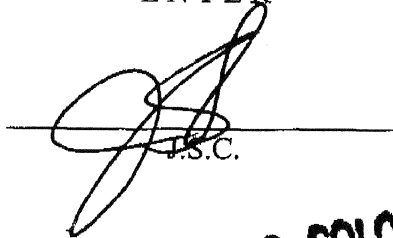
ORDERED, that all claims for losses presented after the Bar Date are barred and discharged; and it is further

ORDERED, that the Liquidator is authorized to continue paying administrative costs and expenses; and it is further

ORDERED, that the Liquidator is authorized to distribute HPNY's assets, consistent with this Court's orders and the priorities set forth in New York Insurance Law Section 7434, to those creditors of HPNY with allowed claims to the extent that, in the Liquidator's discretion, sufficient funds are available; and it is further

~~ORDERED, that the Liquidator, his predecessors and successors in office, their agents, attorneys and employees, are released and discharged from any and all liability arising from their acts or omissions in connection with the liquidation proceeding.~~

ENTER



J.S.C.

JANE S. SOLOMON

FILED

JUN 06 2011

NEW YORK
COUNTY CLERK'S OFFICE

